

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWELFTH 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

Tuesday, May 4, 2021

The Senate was called to order at 2:15 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	Harris	Morris
Allain	Henry	Peacock
Barrow	Hensgens	Pope
Bernard	Hewitt	Price
Boudreaux	Johns	Reese
Carter	Luneau	Smith
Cathey	McMath	Talbot
Cloud	Milligan	Ward
Connick	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	
Total - 31		

ABSENT

Abraham	Jackson	Tarver
Bouie	Lambert	White
Fesi	Peterson	
Total - 8		

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

Prayer

The prayer was offered by Dr. A. Nathan Young, 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 Henry, the reading of the Journal was dispensed with and the Journal of May 3, 2021, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 49—
BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Neil Graham Odenwald.

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

SENATE RESOLUTION NO. 50—
BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Richard Sanders Morris Sr.

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

SENATE RESOLUTION NO. 51—
BY SENATOR MIZELL

A RESOLUTION

To recognize Wednesday, May 5, 2021, as Louisiana Chamber of Commerce Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 52—
BY SENATOR FOIL

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Bridget Elaine Holmes.

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

SENATE RESOLUTION NO. 53—
BY SENATOR TALBOT

A RESOLUTION

To commend the Louisiana Restaurant Association on the occasion of its seventy-fifth anniversary.

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

SENATE RESOLUTION NO. 54—
BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. Katherine Lindley Spaht Dodson.

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

SENATE RESOLUTION NO. 55—
BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Percival Lange LeBlanc.

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

Rules Suspended

Senator Cathey asked for and obtained a suspension of the rules to advance to:

**Senate Concurrent Resolutions on
Second Reading, Subject to Call**

Called from the Calendar

Senator Cathey asked that Senate Concurrent Resolution No. 22 be called from the Calendar.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Carter	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack

Total - 36

NAYS

Total - 0

ABSENT

Bouie	Fesi	Peterson
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Total - 3

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 37—

BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Judge Douglas Marion Gonzales Sr., retired, and to recognize his paramount contributions to the state, to his family and friends, and to his community.

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

SENATE RESOLUTION NO. 38—

BY SENATOR FESI

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Walton "Buddy" Daisy Jr.

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

SENATE RESOLUTION NO. 39—

BY SENATORS BARROW AND BOUDREAUX

A RESOLUTION

To recognize May 2021 as Lupus Awareness Month in Louisiana.

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

SENATE RESOLUTION NO. 40—

BY SENATOR PRICE

A RESOLUTION

To recognize and highly commend the board of directors and members of the Louisiana School Boards Association for their dedicated and invaluable service to the students and schools in their communities and the state.

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

Rules Suspended

On motion of Senator Pope, the rules were suspended.

SENATE RESOLUTION NO. 41—

BY SENATORS POPE, ABRAHAM, ALLAIN, BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FIELDS, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, MORRIS, PRICE, REESE, SMITH, TALBOT, TARVER AND WARD

A RESOLUTION

To urge and request the state superintendent of education to request Elementary and Secondary Education Act (ESEA) waivers regarding school and district accountability and reporting requirements for the 2020-2021 school year.

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

SENATE RESOLUTION NO. 42—

BY SENATORS FRED MILLS AND PEACOCK

A RESOLUTION

To commend the American Physical Therapy Association on the occasion of its one hundredth anniversary.

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

SENATE RESOLUTION NO. 43—

BY SENATORS BERNARD, ABRAHAM, ALLAIN, BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FIELDS, HARRIS, HENRY, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, TARVER, WARD AND WOMACK

A RESOLUTION

To commend Kerry Kittles on being named to the 2020 Louisiana Sports Hall of Fame induction class.

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

SENATE RESOLUTION NO. 44—

BY SENATORS BERNARD, ABRAHAM, ALLAIN, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CORTEZ, FIELDS, HARRIS, HENRY, HEWITT, JOHNS, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, TARVER, WARD AND WOMACK

A RESOLUTION

To commend and congratulate Phil Robertson on being named to the 2020 Louisiana Sports Hall of Fame induction class.

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

SENATE RESOLUTION NO. 45—

BY SENATORS BERNARD, ABRAHAM, BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CORTEZ, FIELDS, HARRIS, HENRY, HEWITT, JOHNS, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, WARD, WHITE AND WOMACK

A RESOLUTION

To commend and congratulate Charles "Peanut" Tillman on being named to the 2020 Louisiana Sports Hall of Fame induction class.

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

SENATE RESOLUTION NO. 46—

BY SENATORS BERNARD, ABRAHAM, BARROW, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CORTEZ, FIELDS, HARRIS, HENRY, HEWITT, JOHNS, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, WARD AND WOMACK

A RESOLUTION

To commend and congratulate Mahmoud Abdul-Rauf on being named as a 2021 inductee of the Louisiana Sports Hall of Fame.

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

SENATE RESOLUTION NO. 47—

BY SENATORS BERNARD, ABRAHAM, BARROW, BOUDREAU, BOUIE, CATHEY, CLOUD, CORTEZ, FIELDS, FOIL, HARRIS, HENRY, HEWITT, JACKSON, LAMBERT, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TARVER, WARD, WHITE AND WOMACK

A RESOLUTION

To commend Courtney Blades-Rogers on being named as a 2021 inductee to the 2021 Louisiana Sports Hall of Fame.

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

SENATE RESOLUTION NO. 48—

BY SENATOR BERNARD

A RESOLUTION

To commend Glenn Dorsey upon an extraordinary career in football and to congratulate him upon his induction into the Louisiana Sports Hall of Fame.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATOR HEWITT

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources, office of coastal management, to review permitting cycle times and to report recommendations on regulatory and statutory changes to expedite the permitting process.

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

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Ann Theresa "Nancy" Mellody Valluzzo.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Harris Morris
Abraham Henry Peacock
Allain Hensgens Pope
Barrow Hewitt Price
Bernard Jackson Reese
Boudreaux Johns Smith
Bouie Lambert Talbot
Carter Luneau Tarver
Cathey McMath Ward
Cloud Milligan White
Connick Mills, F. Womack
Fields Mills, R.
Foil Mizell

Total - 37

NAYS

Total - 0

ABSENT

Fesi Peterson
Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Colonel Bernard H. McLaughlin Jr.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Harris Mizell
Abraham Henry Morris
Allain Hensgens Peacock
Bernard Hewitt Pope
Boudreaux Jackson Price
Bouie Johns Reese
Carter Lambert Smith
Cathey Luneau Talbot
Cloud McMath Tarver
Connick Milligan Ward
Fields Mills, F. White
Foil Mills, R.

Total - 35

NAYS

Total - 0

ABSENT

Barrow Peterson
Fesi Womack

Total - 4

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

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATORS JOHNS, ABRAHAM AND REESE

A CONCURRENT RESOLUTION

To commend former district attorney of the Fourteenth Judicial District, John F. DeRosier, for his many years of outstanding public service to the city of Lake Charles, the parish of Calcasieu, and the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

May 4, 2021

ABSENT

Fesi Tarver
Peterson Womack
Total - 4

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 3, 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 Bills and Joint Resolutions:

- HB No. 383 HB No. 391 HB No. 397
HB No. 443 HB No. 461 HB No. 522
HB No. 544 HB No. 545 HB No. 549
HB No. 558 HB No. 566 HB No. 600
HB No. 618 HB No. 646 HB No. 146
HB No. 327 HB No. 374 HB No. 511
HB No. 562 HB No. 590 HB No. 638
HB No. 627

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 146—
BY REPRESENTATIVES HILFERTY, BUTLER, FARNUM, MCMAHEN, MOORE, RISER, WHITE, AND WRIGHT
AN ACT

To enact R.S. 47:297.15, relative to income tax credits; to establish an income tax credit for an individual who delivers a stillborn child; to provide for the amount of the credit; to provide for certain requirements and limitations; to provide for applicability; 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. 327—
BY REPRESENTATIVE VILLIO
AN ACT

To amend and reenact R.S. 37:563(introductory paragraph) and (8), 582(A)(introductory paragraph), (B)(introductory paragraph), and (C)(introductory paragraph), 583(A), (B)(introductory paragraph), (C)(introductory paragraph) and (3), and 595(B)(3) and to enact R.S. 37:563(18) and (19), 582(B)(4), 583(C)(4), 588, and 588.1, relative to the practice of advanced esthetics; to provide definitions; to provide for a certificate of registration for an advanced esthetician; to prohibit engaging in services that cause pinpoint bleeding; to provide for a certificate as a registered teacher of advanced esthetics; to provide for training and technical instruction in advanced esthetics; and to provide for related matters.

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

HOUSE BILL NO. 374—
BY REPRESENTATIVE DUPLESSIS
AN ACT

To enact R.S. 9:3258.1, relative to residential leases; to provide for notice to applicants by certain lessors of residential properties; to provide for exceptions; to provide for personal hardship statements after a declared disaster or emergency; and to provide for related matters.

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

HOUSE BILL NO. 383—
BY REPRESENTATIVE STAGNI
AN ACT

To amend and reenact Children's Code Article 603(4), relative to child in need of care proceedings; 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. 391—
BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact R.S. 40:1046(A)(1) and to enact R.S. 40:1046(A)(5) and (C)(2)(1), relative to recommendation by physicians of marijuana for therapeutic use, known also as medical marijuana; to provide for forms of medical marijuana which a physician may recommend; to establish limitations on dispensing of certain forms of medical marijuana; to provide for rules and regulations of the Louisiana Board of Pharmacy relative to medical marijuana; 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. 397—
BY REPRESENTATIVE WHITE
AN ACT

To amend and reenact the heading of Part XIV of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950 and to enact R.S. 40:2200.7.1 and 2200.7.2, relative to Alzheimer's disease and other dementia diseases; to provide for education concerning and awareness of such diseases; to provide for the early detection of such diseases; to provide for the promulgation of rules by the Louisiana Department of Health; to provide for the designation and organization of certain laws by the Louisiana State Law Institute; and to provide for related matters.

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

HOUSE BILL NO. 443—
BY REPRESENTATIVES BEAULLIEU AND BRYANT
AN ACT

To amend and reenact R.S. 47:6301(A)(1) and (3), (B)(1)(c)(v) and (ix) and (2)(a)(ii), and (C)(1)(c), relative to the donations to school tuition organization tax credit; to provide for an amount of the tax credit; to provide for the use of the donations; to provide for administration of scholarship payments; to provide for reporting requirements; to provide for requirements of qualified schools; 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. 461—

BY REPRESENTATIVE HUGHES
AN ACT

To amend and reenact R.S. 46:1430(A)(1), relative to certain facilities licensed by the Department of Children and Family Services to provide out-of-home care for children; to revise certain provisions of the Specialized Provider Licensing Act; to provide relative to entities that violate regulations adopted pursuant to such law; to provide with respect to violations related to state central registry clearances; and to provide for related matters.

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

HOUSE BILL NO. 511—

BY REPRESENTATIVES MCFARLAND, AMEDEE, BACALA, DAVIS, EDMONDS, FARNUM, FIRMENT, FREIBERG, GADBERRY, HARRIS, HORTON, MCKNIGHT, MIGUEZ, CHARLES OWEN, AND SCHAMERHORN

AN ACT

To amend and reenact R.S. 48:77 and to enact R.S. 48:71, 72, and 229.2, relative to budgetary operations and funding for the Department of Transportation and Development; to provide for audits; to repeal the dedication of certain revenues to the Transportation Trust Fund; to dedicate certain revenues to the Construction Subfund of the Transportation Trust Fund; to require an online platform for Highway Priority Program information; and to provide for related matters.

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

HOUSE BILL NO. 522—

BY REPRESENTATIVE SELDERS
AN ACT

To enact Children's Code Article 612(A)(5) and (6), relative to child abuse; to provide for child abuse or neglect reporting and investigation; to provide with respect to the administrative procedure of completing a preliminary investigation or assessment; to provide for services to families in instances when reports are denied; 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. 544—

BY REPRESENTATIVE HODGES AND SENATOR WHITE
AN ACT

To amend and reenact R.S. 56:1855(P)(1)(introductory paragraph), relative to the Louisiana Scenic Rivers Act; to extend the period for which the Comite River is exempt from certain statutory requirements; and to provide for related matters.

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

HOUSE BILL NO. 545—

BY REPRESENTATIVE HUGHES
AN ACT

To amend and reenact R.S. 48:196(C) and 224.1(A) and to enact R.S. 48:752(3), relative to the Department of Transportation and Development and the State Highway Improvement Fund; to provide for the expenditure of money in road transfer agreements; to provide for funds to be credited to the Parish Transportation Fund; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 549—

BY REPRESENTATIVE MCCORMICK
AN ACT

To amend and reenact R.S. 30:2363(7) and (13), relative to the reporting of hazardous material releases; to provide for definitions; to provide for the applicability of reporting requirements under the Hazardous Materials Information Development, Preparedness, and Response Act and laws regarding hazardous materials transportation and motor carrier safety; to provide relative to natural gas pipelines; and to provide for related matters.

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

HOUSE BILL NO. 558—

BY REPRESENTATIVE LARVADAIN
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in East Baton Rouge Parish and St. Landry Parish; to provide for property descriptions; to provide for the reservation of mineral rights; to provide for the proceeds; to provide relative to terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 562—

BY REPRESENTATIVE BOURRIQUE
AN ACT

To amend and reenact R.S. 47:337.102(B)(3) and (5), (I)(1) and (3), and (K), and 340(A) and (E)(5), 1402(E)(1) and (2), 1404, 1406, and 1418(7)(d), to enact R.S. 47:338.223 and 1483(A)(2) and (3), and to repeal R.S. 47:340(I), relative to the administration and adjudication of state and local sales and use taxes; to provide relative to sales and use tax administration; to provide relative to the membership of the Louisiana Uniform Local Sales Tax Board; to provide for the selection of officers of the Louisiana Uniform Local Sales Tax Board; to provide for the funding of Louisiana Uniform Local Sales Tax Board; to provide for a strategic plan for the Louisiana Uniform Local Sales Tax Board; to provide for dedications related to the Louisiana Sales and Use Tax Commission for Remote Sellers; to provide for agreements relative to funding for the Louisiana Sales and Use Tax Commission for Remote Sellers; to provide for membership and qualifications of the Board of Tax Appeals; to provide for employees of the Board of Tax Appeals; to provide for certain Board of Tax Appeals employee salaries; to provide for expenditures for the Board of Tax Appeals; to provide for definitions; to provide for the collection of occupancy taxes; to provide for the payment of Board of Tax Appeals judgments; to provide for certain requirements and limitations; 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 JORDAN
AN ACT

To amend and reenact R.S. 22:439(A)(1), relative to premium taxes on insurance coverage; to provide for disposition of the avails of the premium tax on surplus lines insurance coverage; 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. 590—

BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 38:3076(A)(14), relative to the Capital Area Groundwater Conservation District; to provide for the powers of the board; to provide for the assessment of fees for

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capitol expenditures; to provide for the assessment of late fees for non-payment; and to provide for related matters.

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

HOUSE BILL NO. 600—
BY REPRESENTATIVE GOUDEAU
AN ACT

To amend and reenact R.S. 41:1338(A)(2)(b), relative to the transfer of public property; to provide relative to restrictions on the transfer of public property acquired by the state and political subdivisions; to exempt property of Lafayette or Lafayette Parish from third party transfer requirements; 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. 618—
BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To amend and reenact R.S. 39:197(12) and (15) and 198(G)(introductory paragraph) and (I)(introductory paragraph), (1), (5), and (9) and to enact R.S. 39:197(19), relative to procurement of fiscal intermediary services contracts; to provide for definitions; to provide with respect to multi-state procurement; to provide with respect to procurement processes and requirements; to provide with respect to terms of such contracts; to provide with respect to requirements of such contracts relative to contract extensions; to provide for technical changes; to direct the Louisiana State Law Institute to make certain technical changes; and to provide for related matters.

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

HOUSE BILL NO. 627—
BY REPRESENTATIVE HUVAL
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in St. Martin Parish; to provide for the property descriptions; to provide terms and conditions; to provide for the reservation of mineral interests; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 638—
BY REPRESENTATIVES HILFERTY AND DUPLESSIS
AN ACT

To amend and reenact R.S. 32:406 and 412.1(B), and to enact R.S. 40:1321(S) and R.S. 47:472(C), relative to driver's license transactions; to provide relative to the issuance of Class "D" and "E" driver's license transactions for a change of address; to authorize a licensee to update their permanent address in person, by mail, or online; to exempt certain driver's license handling fees; to provide relative to the issuance of a Real ID compliant license; to exempt certain duplicate certificate of registration 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. 646—
BY REPRESENTATIVE JAMES
AN ACT

To authorize and provide for the interest in and use of certain state property; to authorize the transfer of certain state property in East Baton Rouge Parish; to authorize the state to enter into agreements regarding the dedicated property; to provide for property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

May 3, 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. 58

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

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 58—
BY REPRESENTATIVE HUVAL

A CONCURRENT RESOLUTION
To designate Wednesday, May 19, 2021, as CODOFIL Day at the state capitol.

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. 8—
BY REPRESENTATIVE BUTLER
AN ACT

To amend and reenact R.S. 47:1923(D)(1)(a), relative to the Evangeline Parish tax assessor; to provide for the payment of certain insurance premiums for retirees; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 26—
BY REPRESENTATIVE MCCORMICK
AN ACT

To amend and reenact R.S. 47:633(7)(c)(i)(bb), relative to severance tax exemptions; to provide for the value used to determine the applicability of an exemption for certified stripper well production; to provide for certain requirements and limitations; and to provide for related matters.

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

HOUSE BILL NO. 31—
BY REPRESENTATIVE MUSCARELLO
AN ACT

To amend and reenact R.S. 48:756(B)(1)(a) and (2)(a), relative to the Parish Transportation Fund; to include Tangipahoa Parish as a recipient of monies from the fund dedicated for mass transit purposes; and to provide for related matters.

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

HOUSE BILL NO. 58—

BY REPRESENTATIVE COUSSAN
AN ACT

To amend and reenact R.S. 30:136.3(B)(1), relative to the Mineral and Energy Operation Fund; to extend the time frame for receipt of certain revenues to be credited to the fund; and to provide for related matters.

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

HOUSE BILL NO. 93—

BY REPRESENTATIVE MIGUEZ
AN ACT

To enact R.S. 2:135.1(A)(6), relative to the lease of certain airport facilities governed by the Iberia Parish Airport Authority; to exempt leases governed by the Iberia Parish Airport Authority from the provisions of public lease laws; to require the Iberia Parish Airport Authority to meet certain requirements relative to price and appraisals; 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. 105—

BY REPRESENTATIVE PRESSLY AND SENATOR PEACOCK
AN ACT

To amend and reenact R.S. 34:3160(C) and to repeal R.S. 34:3522, relative to the Caddo-Bossier Parishes Port Commission; to provide for the rights and powers of the commission; to authorize the commission to perform the functions of an economic and industrial development entity; 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. 142—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 17:3803(B)(1)(d) and R.S. 56:639.8(C) and 650(C)(1), relative to the maximum amount of monies in certain state funds that may be invested in equities; to increase such investment caps; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 284—

BY REPRESENTATIVE ILLG
AN ACT

To amend and reenact R.S. 49:321.1, relative to securities lending; to provide requirements and prohibitions for securities lending contracts involving securities from state funds; to provide with respect to the authority of the treasurer; and to provide for related matters.

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

HOUSE BILL NO. 323—

BY REPRESENTATIVE GADBERRY
AN ACT

To amend and reenact R.S. 38:2318.1(A) and (C), relative to architectural and engineering professional services; to require the selection of architectural and engineering professional services based on competence and qualifications; to prohibit the selection of architectural and engineering professional services based on price; to provide for public records; to provide for applicability; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 325—

BY REPRESENTATIVE LARVADAIN
AN ACT

To enact R.S. 40:2405.9 and Code of Criminal Procedure Article 223, relative to the arrest of persons with minor or dependent children; to provide for the establishment of guidelines and training for law enforcement officers regarding the arrest of persons with minor or dependent children; to require the Council on Peace Officer Standards and Training to develop the guidelines and training in conjunction with certain organizations; to provide for certain requirements of law enforcement officers upon arrest of a person; to provide for exceptions; 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 COUSSAN
AN ACT

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

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

HOUSE BILL NO. 337—

BY REPRESENTATIVE CREWS
AN ACT

To enact R.S. 2:135.1(B)(2)(c), relative to airport facility leases operated and maintained by the Shreveport Downtown Airport; to provide for the removal of lease requirements pertaining to the addition or construction of certain improvements for non-air carrier airports and air carrier airports; 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. 338—

BY REPRESENTATIVE MCCORMICK
AN ACT

To enact R.S. 2:135.1(B)(2)(c), relative to the Vivian Municipal Airport; to provide for the removal of lease requirements pertaining to the addition or construction of certain improvements for non-air carrier airports and air carrier airports; 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. 347—

BY REPRESENTATIVE KERNER
AN ACT

To amend and reenact R.S. 48:197(B)(3), relative to the Regional Maintenance and Improvement Fund; to provide for the administration and use of the fund; and to provide for related matters.

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

HOUSE BILL NO. 349—

BY REPRESENTATIVES EDMONSTON, AMEDEE, BUTLER, CARRIER, CORMIER, CREWS, EDMONDS, EMERSON, FARNUM, FONTENOT, GAROFALO, HODGES, HORTON, IVEY, MACK, MCCORMICK, MIGUEZ, CHARLES OWEN, SEABAUGH, TARVER, AND WRIGHT
AN ACT

To enact R.S. 32:411.2 and R.S. 40:1321(N)(3) and (4), relative to the issuance, renewal, or revocation of a driver's license or special identification card; to prohibit the use of vaccination verification or immunity status for the issuance, renewal, or revocation of a state-issued driver's license or special identification card; to prohibit the inclusion of vaccination

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verification or immunity status on a state-issued driver's license or special identification card; 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. 354— BY REPRESENTATIVE SCHAMERHORN AN ACT

To amend and reenact R.S. 32:1(2)(a), 401(2)(a), and 408(C)(3), relative to autocycles; to modify the definition of "autocycle" relative to motor vehicles and traffic regulation; to modify the definition of "autocycle" applicable to an exemption for certain driver's license endorsements for operators; 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. 362— BY REPRESENTATIVE ORGERON AN ACT

To enact Subpart BBB of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.351, relative to state individual income tax return checkoffs for certain donations; to provide a method for an individual to donate all or a portion of a refund to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College for the Louisiana State University Agricultural Center Grant Walker Educational Center (4-H Camp Grant Walker); to provide for the administration and disbursement of donated monies; to provide for applicability; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 366— BY REPRESENTATIVE MCFARLAND AN ACT

To authorize and provide for the transfer of certain public property; to authorize the exchange of certain public property in Caddo, Sabine, Richland, Morehouse, and Ouachita Parishes; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 595— BY REPRESENTATIVE DUSTIN MILLER AN ACT

To amend and reenact R.S. 22:1874(A)(5)(a)(introductory paragraph) and (ii) and R.S. 46:460.62(A)(introductory paragraph) and (2), relative to the payment of claims made by healthcare providers prior to credentialing; to deem a new healthcare provider as an in-network provider for certain purposes; to repeal the requirement that a new healthcare provider submit proof of active hospital privileges; 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 Insurance.

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 6— BY REPRESENTATIVE ZERINGUE AND SENATOR WHITE A CONCURRENT RESOLUTION

To direct the governing authorities of St. Charles Parish, Jefferson Parish, Plaquemines Parish, St. Bernard Parish, Orleans Parish, the Southeast Louisiana Flood Protection Authority - East, and the Southeast Louisiana Flood Protection Authority - West Bank

to each devise and implement a plan for contributing to the remaining debt owed to the federal government for the Hurricane and Storm Damage Risk Reduction System and to report to the legislature by no later than December 1, 2021, on their plan and implementation thereof.

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

HOUSE CONCURRENT RESOLUTION NO. 54— BY REPRESENTATIVE SCHEXNAYDER A CONCURRENT RESOLUTION

To commend the members of the board of directors of the Louisiana School Boards Association.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Harris, Peacock. Lists names of members and their counts for the Yeas vote.

Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Jackson, Peterson. Lists names of members and their counts for the Absent vote.

Total - 5

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 JUDICIARY A

Senator Barrow Peacock, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 4, 2021

To the President and Members of the Senate:

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

HOUSE BILL NO. 37— BY REPRESENTATIVES BACALA, ADAMS, AMEDEE, BAGLEY, BOURRIAQUE, BRYANT, CORMIER, COX, CREWS, DAVIS, DEVILLIER, DUPLESSIS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FIRMINT, FONTENOT, FREIBERG, GADBERRY, GREEN, HILFERTY, HODGES, HORTON, HUGHES, ILLG, JAMES, MIKE JOHNSON, TRAVIS JOHNSON, MARCELLE, MCCORMICK, MCKNIGHT, GREGORY MILLER, MOORE, CHARLES OWEN, PRESSLY, ROMERÓ, SCHAMERHORN, STAGNI,

THOMAS, THOMPSON, VILLIO, WHITE, AND WRIGHT AND SENATOR FOIL

AN ACT

To amend and reenact Children’s Code Articles 1213(A) and (B), 1233, and 1235 and to enact Children’s Code Articles 1213(D), 1217.1, and 1239.1, relative to adoptions; to provide for post-placement functions for agency and private adoptions; to provide for visits prior to finalization; to provide for assistance to the families and children; to provide for reporting and statistical requirements; to provide relative to a final decree of private adoption; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 125—

BY REPRESENTATIVE MIKE JOHNSON

AN ACT

To amend and reenact R.S. 46:236.1.9(C), relative to indispensable parties when the Department of Children and Family Services is providing support enforcement services; to require the department to be served as an indispensable party in paternity and support proceedings; to require certification of the receipt of support enforcement services in certain actions; to provide for the failure to provide notice; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 188—

BY REPRESENTATIVE BEAULLIEU

AN ACT

To amend and reenact R.S. 40:1165.1(A)(2)(b)(i), relative to medical records of a patient; to provide for persons who may have access to a patient’s medical records; to authorize access to medical records by certain insurance companies or their counsel for underwriting purposes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 264—

BY REPRESENTATIVE SEABAUGH

AN ACT

To amend and reenact Code of Civil Procedure Article 2331, relative to judicial sales; to provide for writs of fieri facias, to provide for advertisement and legal notices; to provide for rescheduled sales; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 295—

BY REPRESENTATIVE SEABAUGH

AN ACT

To amend and reenact Code of Civil Procedure Articles 3431(A) and 3434(C)(1) and to repeal Code of Civil Procedure Article 3421(B), relative to immovable property in successions; to provide relative to the definition of small succession; to provide relative to the small succession affidavit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 307—

BY REPRESENTATIVE SCHAMERHORN

AN ACT

To amend and reenact R.S. 35:191.4(E), (F), (G), and (H) and to repeal R.S. 35:191.4(I), relative to notaries public; to provide relative to notary examination study course providers; to repeal the semiannual report requirement; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 375—

BY REPRESENTATIVES FREEMAN, CARPENTER, LANDRY, MOORE, AND WHITE AND SENATORS BARROW, JACKSON, MIZELL, AND PETERSON AND REPRESENTATIVES BUTLER, NEWELL, PHELPS, ADAMS, BRYANT, GARY CARTER, CORMIER, COX, ECHOLS, GLOVER, GREEN, HORTON, HUGHES, JEFFERSON, JENKINS, LARVADAIN, MARCELLE, AND WILLARD

AN ACT

To enact R.S. 9:3261.2, relative to residential leases; to provide relative to sexual assault victims as parties to certain residential lease agreements; to provide certain definitions, terms, procedures, conditions, and requirements; to provide relative to certain actions by lessors and lessees; to provide for termination of leases under certain circumstances; to provide relative to certification of sexual assault victim status; to provide relative to certain civil proceedings; to provide for immunity from liability in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 400—

BY REPRESENTATIVE COUSSAN

AN ACT

To amend and reenact Civil Code Article 811 and Code of Civil Procedure Articles 4607, 4622, 4624, and 4625, relative to property; to provide for partitions by private sale; to provide relative to absentee or non-consenting co-owners; to provide for petition requirements; to provide for sale requirements; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
BARROW PEACOCK
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Gary L. Smith Jr., Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 4, 2021

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 31—

BY SENATOR HENRY

A CONCURRENT RESOLUTION

To direct the Department of Revenue, office of alcohol and tobacco control, to amend administrative rules Title 55, Part VII, Chapter 3, Section 317(C)(2)(a)(ii) and (b)(iii) of the Louisiana Administrative Code to provide relative to equipment and product displays that an alcoholic beverage manufacturer may furnish, or cause to be furnished, to a retail dealer in order to provide for the storage, display, proper dispensing, and advertisement of the manufacturer’s products.

Reported with amendments.

SENATE BILL NO. 204—

BY SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 4:147(1) and 158(B)(2), relative to horse racing; to require the Louisiana State Racing Commission to assign dates for race meetings at a particular track; to require the commission to set the minimum number of races per day; to provide relative to the authority of the commission regarding applications for race meetings; and to provide for related matters.

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Reported with amendments.

SENATE BILL NO. 209—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 4:166.7, relative to horse racing; to provide relative to pari-mutuel wagering; to provide for exotic wagering; to provide for allocation of proceeds during and for a race meeting; to provide for terms and conditions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GARY L. SMITH JR.
Chairman

REPORT OF COMMITTEE ON
JUDICIARY C

Senator Franklin J. Foil, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 4, 2021

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 18—

BY SENATOR JACKSON

A RESOLUTION

To establish a task force to study crime and crime prevention in Morehouse Parish and to require the task force to make recommendations.

Reported favorably.

SENATE RESOLUTION NO. 24—

BY SENATOR JACKSON

A RESOLUTION

To establish a task force to study crime and crime prevention in Ouachita Parish and to require the task force to make recommendations to the Senate.

Reported favorably.

SENATE BILL NO. 85—

BY SENATOR ABRAHAM

AN ACT

To amend and reenact R.S. 15:571.3(B)(2)(a) and (c), relative to diminution of sentence for good behavior; to provide that all prisoners convicted of certain offenses earn "good time" at the same rate regardless of the date the offense was committed or the date of conviction; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 32—

BY REPRESENTATIVES SELDERS AND JAMES

AN ACT

To enact R.S. 15:828(E) and (F), relative to diminution of sentence; to provide relative to diminution of sentence for the earning of a bachelor's degree or master's degree; to increase the total number of credits upon earning a bachelor's degree or master's degree; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 227—

BY REPRESENTATIVE WHEAT

AN ACT

To enact Code of Criminal Procedure Article 732.2, relative to subpoenas; to authorize the use of administrative subpoenas for the production of information in investigations of human trafficking offenses; to provide for the types of information which may be disclosed pursuant to an administrative subpoena; to provide for information which may not be disclosed pursuant to an administrative subpoena; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANKLIN J. FOIL
Chairman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

SENATE BILL NO. 5—

BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 17:3100.5(A)(1) and R.S. 47:297.11 and to enact R.S. 47:293(9)(a)(xx), 297.10(C), and 297.12(C), relative to the Louisiana Student Tuition Assistance and Revenue Trust Kindergarten Through Grade Twelve Program; to provide relative to education savings accounts; to provide certain definitions; to provide relative to earnings enhancements; to provide for applicability; to provide for an effective date; 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. 5 by Senator Foil

AMENDMENT NO. 1

On page 2, line 4, delete "account owned" and insert "beneficiary"

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. 27—

BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 17:3138.5(A), (B)(1), the introductory paragraph of (B)(2), (B)(2)(a), and (D)(4), and 3165.2(A), (B), (C)(1)(b), and (E), relative to postsecondary education; to expand the eligibility for designation as military and veteran friendly campus to all postsecondary education institutions in Louisiana; to provide for the transfer of academic and workforce credits earned by military members and their spouses to Louisiana's public postsecondary education institutions; and to provide for related matters.

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

SENATE BILL NO. 28—

BY SENATORS HENRY AND HARRIS AND REPRESENTATIVE WILLARD

AN ACT

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

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 28 by Senator Henry

AMENDMENT NO. 1

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

"Section 3. The authorities granted by this Act shall terminate on June 30, 2024."

AMENDMENT NO. 2

On page 2, at the beginning of line 11, change "Section 3." to "Section 4."

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

SENATE BILL NO. 45—

BY SENATOR HARRIS AND REPRESENTATIVE HUGHES
AN ACT

To amend and reenact R.S. 47:6036(G), relative to Ports of Louisiana tax credits; to extend the sunset of the tax credits; 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. 45 by Senator Harris

AMENDMENT NO. 1

On page 1, line 12, delete "after such date" and insert "**with respect to any application received and approved after this date**"

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. 60—

BY SENATOR CONNICK

AN ACT

To enact Chapter 30 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3701 through 3703, relative to intercollegiate athletics; to provide relative to the compensation and rights of intercollegiate athletes; to provide with respect to professional representation of intercollegiate athletes; to provide for the responsibilities of postsecondary education institutions with respect to intercollegiate athletes' compensation; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 60 by Senator Connick

AMENDMENT NO. 1

On page 2, between lines 7 and 8, insert the following:

"(1) "Athletic booster" means a person or entity that has participated in or has been a member of an organization promoting a postsecondary education institution's athletic program."

AMENDMENT NO. 2

On page 2, at the beginning of line 8, change "**(1)**" to "**(2)**"

AMENDMENT NO. 3

On page 2, at the beginning of line 10, change "**(2)**" to "**(3)**"

AMENDMENT NO. 4

On page 2, at the beginning of line 12, change "**(3)**" to "**(4)**"

AMENDMENT NO. 5

On page 3, delete lines 5 through 10, and insert the following:

"C. A postsecondary education institution, or an officer or employee of a postsecondary education institution, shall not compensate or cause compensation to be directed to a current or prospective intercollegiate athlete for the athlete's name, image, or likeness.

D. A postsecondary education institution shall not use an athletic booster to, nor shall an athletic booster, directly or indirectly, create or facilitate compensation opportunities for the use of an intercollegiate athlete's name, image, or likeness as a recruiting inducement or as a means of paying for athletics participation.

E.(1) A postsecondary education institution may prohibit an intercollegiate athlete from using the athlete's name, image, or likeness for compensation if the proposed use of the athlete's name, image, or likeness conflicts with either of the following:

(a) Existing institutional sponsorship agreements or contracts.

(b) Institutional values as defined by the postsecondary education institution.

(2) An intercollegiate athlete shall not earn compensation for the use of the athlete's name, image, or likeness for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or any form of gambling including sports wagering.

(3) An intercollegiate athlete shall not use a postsecondary education institution's facilities, uniforms, registered trademarks, products protected by copyright, or official logos, marks, colors, or other indicia in connection with the use of the athlete's name, image, or likeness without the express permission of the postsecondary education institution. In granting this permission, a postsecondary education institution may require the third party entity engaging the athlete for a name, image, or likeness activity to follow the protocols established by the postsecondary education institution, including licensing protocols."

AMENDMENT NO. 6

On page 3, at the beginning of line 11, change "**D.**" to "**F.**"

AMENDMENT NO. 7

On page 3, at the beginning of line 15, change "**(2)(a)**" to "**(2)**"

AMENDMENT NO. 8

On page 3, at the beginning of line 16, change "**must**" to "**shall**" and at the end of the line delete the period "." and insert "**as follows:**"

AMENDMENT NO. 9

On page 3, at the beginning of line 17, change "**(b)(i)**" to "**(a)(i)**"

AMENDMENT NO. 10

On page 3, at the end of line 19, insert "**However, the notification provisions of R.S. 4:424(D)(3) shall not apply to an athlete agent who contacts an intercollegiate athlete for the sole purpose of representing the athlete in matters pertaining to the use of the athlete's name, image, or likeness.**"

AMENDMENT NO. 11

On page 3, at the beginning of line 23, change "**(c)**" to "**(b)**"

AMENDMENT NO. 12

On page 3, line 24, "after "**law**" insert a period "." and delete the remainder of the line

AMENDMENT NO. 13

On page 3, at the beginning of line 25, change "**E.**" to "**G.**"

AMENDMENT NO. 14

On page 4, at the beginning of line 1, change "F." to "H."

AMENDMENT NO. 15

On page 4, at the beginning of line 4, change "G." to "L."

AMENDMENT NO. 16

On page 4, at the beginning of line 7, change "H." to "J."

AMENDMENT NO. 17

On page 4, at the beginning of line 14, change "I." to "K."

AMENDMENT NO. 18

On page 4, at the beginning of line 18, change "J." to "L."

AMENDMENT NO. 19

On page 4, at the beginning of line 22, change "K." to "M."

AMENDMENT NO. 20

On page 5, at the beginning of line 4, change "L." to "N."

AMENDMENT NO. 21

On page 5, delete lines 6 through 8, and insert the following:

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

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

SENATE BILL NO. 87—

BY SENATOR CONNICK

A JOINT RESOLUTION

Proposing to amend Article VI, Section 39 of the Constitution of Louisiana, relative to taxing authority of levee districts; to provide for the millage limits on certain levee districts; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably by the Committee on Transportation, Highways and Public Works. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 88—

BY SENATOR CONNICK

AN ACT

To amend and reenact R.S. 38:330.3(A)(1)(c), and to enact R.S. 38:330.3(B)(4) and 330.8(D), relative to levee districts; to authorize the use of funds generated from one or more levee districts for projects that benefit all participating districts; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 88 by Senator Connick

AMENDMENT NO. 1

On page 1, line 14, change "Subsection" to "Section"

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

SENATE BILL NO. 95—

BY SENATORS BOUIE, CARTER AND HARRIS AND REPRESENTATIVES GARY CARTER, DUPLESSIS, HUGHES, LANDRY, NEWELL AND WILLARD

AN ACT

To amend and reenact R.S. 17:10.7.1(F)(1), relative to the return of certain schools from the Recovery School District to the transferring school system; to provide relative to the duties and responsibilities of the local school superintendent with respect to charter schools; to provide relative to board action on certain charter-related recommendations; and to provide for related matters.

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

SENATE BILL NO. 148—

BY SENATORS CORTEZ, ABRAHAM, BARROW, BOUDREAUX, CLOUD, FIELDS, HARRIS, HENRY, JOHNS, TARVER, WHITE AND WOMACK AND REPRESENTATIVE SCHEXNAYDER

AN ACT

To enact Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3047 through 3047.7, relative to the M.J. Foster Promise Program; to establish the program; to provide for program awards including establishing eligibility requirements and award amount limitations; to provide for funding and administration of the program; 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. 148 by Senator Cortez

AMENDMENT NO. 1

On page 1, line 14, between "institution" and "to pursue" insert "or an accredited proprietary school licensed by the Board of Regents"

AMENDMENT NO. 2

On page 2, at the end of line 7, insert "or proprietary school"

AMENDMENT NO. 3

On page 2, line 9, between "institution" and "to" insert "or proprietary school"

AMENDMENT NO. 4

On page 2, at the end of line 20, change "Section" to "Subsection"

AMENDMENT NO. 5

On page 4, line 6, between "education" and "programs" insert "and proprietary school"

AMENDMENT NO. 6

On page 8, delete lines 20 and 21, and insert the following:

"(2)(a) State appropriations for the program shall not exceed ten million dollars per year for students enrolled in public postsecondary education institutions.

(b) State appropriations shall not exceed five hundred thousand dollars for students enrolled in proprietary schools."

AMENDMENT NO. 7

On page 9, at the end of line 5, insert "and proprietary school"

AMENDMENT NO. 8

On page 10, line 27, between "education" and ", annually" insert "and proprietary schools"

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

SENATE BILL NO. 156—

BY SENATOR MIZELL AND REPRESENTATIVES EDMONDS,
EDMONSTON, HODGES AND VILLIO
AN ACT

To enact Chapter 7-A of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:441 through 446, relative to athletic activities; to require that schools designate intercollegiate, interscholastic, or intramural athletic teams according to the biological sex of the team members; to provide that teams designated for females are not open to participation by biological males; to provide immunity protections for schools from certain adverse actions; to provide for causes of action; to provide for legislative findings; to provide for definitions; to provide for remedies; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 156 by Senator Mizell

AMENDMENT NO. 1

On page 2, line 21, change "**it relates**" to "**they relate**"

AMENDMENT NO. 2

On page 3, line 5, after "**people**" delete the comma ","

AMENDMENT NO. 3

On page 3, line 10, between "**at**" and "**high**" change "**the**" to "**a**"

AMENDMENT NO. 4

On page 3, at the beginning of line 18, between "**that**" and "**even**" insert a comma ","

AMENDMENT NO. 5

On page 3, at the end of line 21, delete the period "."

AMENDMENT NO. 6

On page 4, line 3, after "**officer**" change "**for**" to "**of**"

AMENDMENT NO. 7

On page 4, lines 13 and 14, change "**coach, assistant coach, or volunteer coach**" to "**coach or assistant coach, whether paid or on a volunteer basis,**"

AMENDMENT NO. 8

On page 5, line 21, between "**entity,**" and "**licensing**" delete "**nor any**"

AMENDMENT NO. 9

On page 5, at the beginning of line 22, change "**nor any**" to "**or**"

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

SENATE BILL NO. 185—

BY SENATOR ALLAIN

AN ACT

To amend and reenact the introductory paragraph of R.S. 30:1154(A) and to enact R.S. 30:1154(A)(8), relative to solar energy; to provide for leases to explore, develop, and produce solar energy; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for terms, conditions, and requirements of solar leases; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 185 by Senator Allain

AMENDMENT NO. 1

On page page 1, line 2, after "30:1154(A)" insert "and (C)"

AMENDMENT NO. 2

On page 1, line 8, after "30:1154(A)" delete "is" and insert "and (C) are"

AMENDMENT NO. 3

On page 1, delete line 12 and insert: "**industry utility, agricultural, and solar industries, landowners,** and consumer"

AMENDMENT NO. 4

On page 2, at the end of line 4, delete "**and**"

AMENDMENT NO. 5

On page 2, line 5, after "**lease**" delete the period "." insert and comma "," and "**and placement of this program within the department. The rules provided for in this Paragraph shall be promulgated by the secretary, but not implemented until the secretary identifies funding through fees, federal grants, or other sources.**"

AMENDMENT NO. 6

On page 2, after line 6, insert:

"C. Under no circumstances may the secretary preclude any person from developing, installing, or operating a solar device on his own property **for residential use.**"

* * *

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

SENATE BILL NO. 200—

BY SENATORS MCMATH AND CORTEZ

AN ACT

To enact R.S. 47:302(BB)(114), 305.5, 306.5(B)(14), 321(P)(115), 321.1(I)(115), and 331(V)(115), relative to state sales and use tax exemptions; to provide for a temporary exemption from state sales and use tax for the sale of admission tickets to live entertainment events at certain facilities; to authorize the secretary of the Department of Revenue to promulgate rules; to provide for reporting requirements; 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. 200 by Senator McMath

AMENDMENT NO. 1

On page 2, line 7, change "**July 1, 2021**" to "**October 1, 2021**"

AMENDMENT NO. 2

On page 2, after line 29, insert the following:

"**D. This Section shall not apply to publicly owned facilities to which R.S. 39:467 applies.**"

AMENDMENT NO. 3

On page 3, line 1, change "**D.**" to "**E.**"

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.

May 4, 2021

SENATE BILL NO. 207—
BY SENATOR WHITE

AN ACT

To amend and reenact R.S. 38:2212(B)(2), R.S. 48:255.4, 256.1(A)(1), and 950, to enact R.S. 39:1554(D)(9) and 2212(A)(1)(c), and to repeal R.S. 48:252 through 255, and 255.6 through 256, relative to public contracts and the Department of Transportation and Development; to provide for exemptions from the procurement code; to provide for information required for competitive bids; to remove certain exceptions to prohibition of cost-plus contracts; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 207 by Senator White

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 38:2212(B)(2)," delete the remainder of the line, delete lines 3 through 7, and insert the following: "and to enact R.S. 38:2212(A)(1)(c) and R.S. 48:252(I), relative to public contracts; to provide relative to applicability to contracts of the Department of Transportation and Development; to provide for information required by bidding documents; to provide for acknowledgment of compliance with subpoenas from the Louisiana Legislature and its committees; and to provide for related matters."

AMENDMENT NO. 2

On page 2, between lines 18 and 19, insert the following:
"Section 2. R.S. 48:252(I) is hereby enacted to read as follows:
§252. Advertisement for bids; public presentment and reading of bids; fee for bid proposals
* * *

(I) All contracts of the department shall contain provisions that require a contractor to agree to comply with a subpoena issued by the Louisiana Legislature or any of its committees.

AMENDMENT NO. 3

On page 2, delete lines 19 through 29

AMENDMENT NO. 4

On page 3, delete lines 1 through 27

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

SENATE BILL NO. 211—
BY SENATOR JACKSON

AN ACT

To enact R.S. 17:437.2 and 3996(B)(59), relative to training for certain school employees; to provide for in-service training for teachers, school counselors, principals, and certain other school administrators on adverse childhood experiences and trauma-informed education; to provide for the responsibilities of the State Board of Elementary and Secondary Education; and to provide for related matters.

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

SENATE BILL NO. 214—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 17:183.2(B)(1), (C), and (D), 183.3(C), and 2925(A) and (B), and to enact R.S. 17:2926(C), relative to individual graduation plans and curriculum options; to provide for a student's parent or legal guardian be provided certain information and approve the student's plan; and to provide for related matters.

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

SENATE BILL NO. 216—
BY SENATOR ROBERT MILLS

AN ACT

To enact R.S. 17:24.10 and 3996(B)(59), relative to early literacy; to require early literacy training for certain teachers and administrators; to require reporting on such training; and to provide for related matters.

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

SENATE BILL NO. 217—
BY SENATOR HARRIS

AN ACT

To enact R.S. 47:6036.1, relative to tax credits; to create the Louisiana Import Tax Credit; to provide for eligibility requirements for port credits; to provide for application requirements; to provide for the allocation of port credits; to require certifications; to provide relative to the utilization of port credits; to authorize the Department of Economic Development to promulgate rules; to provide for definitions; 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. 217 by Senator Harris

AMENDMENT NO. 1

On page 4, line 3, after "per" insert "net new"

AMENDMENT NO. 2

On page 5, line 20, after "based on the" delete the remainder of the line and insert "net new TEUs of actual cargo volume imported by"

AMENDMENT NO. 3

On page 6, between lines 6 and 7, insert the following:
"H. The Louisiana Import Tax Credits awarded by the department pursuant to this Section shall not exceed four million five hundred thousand dollars in any fiscal year."

AMENDMENT NO. 4

On page 6, line 7, change "H." to "I."

AMENDMENT NO. 5

On page 6, between lines 8 and 9, insert the following:
"J. No credits shall be granted pursuant to this Section for applications received after July 1, 2025."

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. 220—
BY SENATOR CLOUD

AN ACT

To amend and reenact R.S. 18:158, 403, 1311(D)(4)(b), and 1312(D) and to enact R.S. 24:513(D)(7), relative to the legislative auditor; to provide relative to examinations, audits, and reviews of elections; to provide for the submission and presentation of reports to certain legislative committees; to provide for the retention of election records subject to examination by the legislative auditor; to provide for terms, conditions, and procedures; and to provide for related matters.

Reported favorably by the Committee on Finance. The bill was read by title and passed to a third reading.

SENATE BILL NO. 222—
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 17:24.9, to enact R.S. 17:24.10 and 3996(B)(59) and (60), and to repeal R.S. 17:24.11 and 182, relative to early literacy; to provide for a comprehensive early literacy initiative; to require early literacy instruction for grades kindergarten to three; to provide for annual literacy screening of certain students; to provide literacy support for certain students; to provide for professional development and teacher training; to require school literacy plans; to require annual literacy reporting; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 222 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 5, after "literacy" change "screening" to "assessment"

AMENDMENT NO. 2

On page 2, at the beginning of line 5, change "balanced" to "**evidence-based**"

AMENDMENT NO. 3

On page 2, delete lines 17-29, delete page 3, and insert the following:

~~"D. This initiative shall be evaluated through the state-level assessment system that identifies those schools and school systems which are meeting state standards of school accountability.~~

E. This program shall be implemented when funds are allocated for this purpose. Such funding shall be allocated to every city and parish school system.

Develop a literacy assessment to assess the literacy level of each public school student in kindergarten through third grade.

(a) In developing the literacy assessment, the department shall consider:

(i) The scientific validity and reliability of the literacy assessment.

(ii) The time required to conduct the literacy assessment, with the intention to minimize the impact on instructional time.

(iii) The cost of administering the literacy assessment.

(iv) The timeliness and ease in reporting the results to teachers, administrators, and parents.

(v) The integration of the literacy assessment with instruction.

(b) The literacy assessment shall:

(i) Measure, at a minimum, age appropriate phonological awareness, phonics, decoding, fluency, and comprehension.

(ii) Identify students whose literacy skills are below grade level.

(iii) Be a tool to assist in identifying students for further evaluation for specific programming, including students who display characteristics of being dyslexic or gifted.

(3) Provide the literacy assessment, at no cost, to each public school for use in identifying a student's foundational literacy skill level pursuant to R.S. 17:24.10.

(4) Establish the scores on the literacy assessment to determine whether a student's literacy skills are above grade level, on grade level, or below grade level.

(5) Require, beginning with the 2022-2023 school year, each public school to administer the literacy assessment to each student in kindergarten through third grade, within the first thirty days of each school year.

(6) Provide, within thirty days after the administration of the literacy assessment, a literacy assessment report to each public school governing authority, each public school, and each public school teacher who teaches students in kindergarten through third grade, the number and percentage of students with literacy skills determined to be above grade level, on grade level, or below grade level. The number of students identified for referral for

gifted evaluation or targeted for literacy intervention shall also be reported.

(7)(a) Submit a report, not later than ninety days after the beginning of each school year, to the Senate Committee on Education and the House Committee on Education detailing the results of the literacy assessment for each public elementary school, each public school system, and the state as a whole.

(b) The report shall include:

(i) The number and percentage of students in kindergarten through third grade with literacy skills identified at each proficiency level.

(ii) The number of students identified for referral for gifted evaluation or targeted for literacy intervention.

(iii) Literacy levels by student subgroups.

(c) The data reported shall be submitted in the aggregate and shall not include any personally identifiable information pursuant to R.S. 17:3914.

(8) Report the data for each school, for each school system, and the state as a whole, in the school progress profiles provided pursuant to R.S. 17:3911 and 3912.

C. Not later than July 31, 2022, the State Board of Elementary and Secondary"

AMENDMENT NO. 4

On page 4, at the end of line 9, before the period "." insert "; **including dyslexia**"

AMENDMENT NO. 5

On page 4, delete lines 10-12, and at the beginning of line 13, change "**(4)**" to "**(3)**"

AMENDMENT NO. 6

On page 4, at the beginning of line 15, change "**(5)**" to "**(4)**"

AMENDMENT NO. 7

On page 4, at the beginning of line 18, change "**(6)**" to "**(5)**"

AMENDMENT NO. 8

On page 4, line 18, after "**literacy**" change "**screenings**" to "**assessments**"

AMENDMENT NO. 9

On page 4, between lines 19 and 20 insert the following:

"D. The results from the literacy assessment shall be used in determining school and district performance scores pursuant to the state's school and district accountability system."

AMENDMENT NO. 10

On page 4, delete lines 25-29, and on page 5, delete lines 1-3

AMENDMENT NO. 11

On page 5, line 4, change "**Literacy Instruction and Screening**" to "**literacy instruction and assessment**"

AMENDMENT NO. 12

On page 5, line 12, after "**literacy**" change "**screening**" to "**assessment**"

AMENDMENT NO. 13

On page 5, line 22, after "**Ensure**" insert ", pursuant to R.S. 17:351.1."

AMENDMENT NO. 14

On page 5, delete line 23, and insert the following: "**students to read are high-quality, fully aligned to state content standards, and based on literacy**"

AMENDMENT NO. 15

On page 5, delete lines 27-29, and on page 6, delete lines 1-11

AMENDMENT NO. 16

On page 6, line 14, after "**literacy**" change "**screening**" to "**assessment**"

AMENDMENT NO. 17

On page 7, line 12, after "literacy" change "screening" to "assessment"

AMENDMENT NO. 18

On page 7, between lines 12 and 13, insert the following:

"E. The results of the early literacy assessment shall not be used in determining school and district performance scores prior to the 2023-2024 school year."

AMENDMENT NO. 19

On page 7, at the beginning of line 13, change "E." to "F."

AMENDMENT NO. 20

On page 7, line 27, change "R.S. 17:24.09" to "R.S. 17:24.9"

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

SENATE BILL NO. 229—

BY SENATORS HENSGENS, ABRAHAM, BARROW, BOUDREAUX, CLOUD, HENRY, JOHNS, TARVER, WHITE AND WOMACK AND REPRESENTATIVES RISER AND TURNER

AN ACT

To enact Chapter 20-I of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3050.11, relative to the Health Care Employment Reinvestment Opportunity (H.E.R.O.) Fund; to provide for the creation of the fund as a special fund in the state treasury; to provide for the transfer, dedication, use, and investment of monies in the fund; 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 Original Senate Bill No. 229 by Senator Hensgens

AMENDMENT NO. 1

On page 1, line 14, after "treasury" and before "a special" delete the comma ", as"

AMENDMENT NO. 2

On page 2, line 9, after "C." delete the remainder of the line, delete line 10, and insert the following:

"(1) Subject to legislative appropriation and the approval of the Board of Regents, the Louisiana Health Works Commission is hereby authorized and directed to determine how monies in the fund are allocated and expended through a multi-year plan, solely and exclusively for the following purposes and in the following priorities:

(a) Meet the current and growing employment demands for nursing and allied health professionals by increasing the capacity of nursing and allied health training programs through supporting initiatives such as increasing faculty positions and clinical preceptors in nursing and allied health schools.

(b) Support the nursing and allied health professions by providing incentives that financially support student financial stipends and tuition forgiveness contingent upon employment in Louisiana healthcare facilities or nursing or allied health schools.

(c) Provide incentives for nursing and allied health care professionals to practice in Louisiana with an emphasis on medically underserved areas of the state.

(2) Monies in the fund shall not be used for construction, maintenance, repair or improvement of structures.

D. On or before October first of each year, the Louisiana Health Works Commission shall submit a plan of fund allocation to the Board of Regents.

E. The Board of Regents shall submit a comprehensive annual report to the Senate Committee on Finance, the House Committee on Appropriations, the Senate Committee on Health and Welfare and the House Committee on Health and Welfare no

later than sixty days after the end of the state fiscal year in which the monies were appropriated.

F. The provisions of this Section shall terminate on July 1, 2026 or when all of the monies in the fund have been expended, whichever occurs first. Any monies remaining in the fund on July 1, 2026 shall be transferred by the State Treasurer to the state general fund."

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

SENATE BILL NO. 234—

BY SENATOR MCMATH

AN ACT

To enact R.S. 17:100.13, relative to public elementary and secondary schools; to provide for accelerated instruction for certain low-performing students; to provide for supplemental instruction and accelerated learning committees; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 234 by Senator McMath

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:100.13" insert "and 3996(B)(59)"

AMENDMENT NO. 2

On page 1, line 3, change "accelerated instruction" to "expanded academic support"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 17:100.13" change "is" to "and 3996(B)(59) are"

AMENDMENT NO. 4

On page 1, line 8, change "100.13 Accelerated instruction" to "100.13. Expanded academic support"

AMENDMENT NO. 5

On page 1, delete lines 9-17, on page 2, delete lines 1-3, and insert the following:

"A. For the 2021-2022 and 2022-2023 school years, each student in grades four through eight who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system during the 2020-2021 and 2021-2022 school year shall be provided expanded academic support.

B. The parent or legal guardian of a student identified in need of expanded academic support shall be provided one of the following options:

(1) Accelerated instruction as provided in Subsection C of this Section.

(2) Prioritized placement in a class taught by a teacher labeled as "highly effective" pursuant to the state's teacher evaluation system, if a highly effective teacher is available in the school."

AMENDMENT NO. 6

On page 2, line 4, change "B. Supplemental" to "C. Accelerated"

AMENDMENT NO. 7

On page 2, line 11, after "week" change the comma "," to a period "." and delete the remainder of the line.

AMENDMENT NO. 8

On page 2, line 14, change "Include effective instructional materials" to "Be taught using high-quality instructional materials that are fully aligned with state content standards and that are"

AMENDMENT NO. 9

On page 2, line 19, between "training in" and "the instructional" insert "using"

AMENDMENT NO. 10

On page 2, delete lines 20-21, and insert "pursuant to Paragraph (5) of this Subsection and who receives ongoing oversight while providing the accelerated instruction."

AMENDMENT NO. 11

On page 2, delete lines 28 and 29, on page 3, delete line 1, and at the beginning of line 2, delete "Section.," and insert the following: "committee for each student in grades four through eight who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system."

AMENDMENT NO. 12

On page 3, at the end of line 7, delete "the," delete line 8, and insert "August thirty-first, develop an accelerated learning plan for the student"

AMENDMENT NO. 13

On page 3, line 10, between "of the" and "school year" insert "2021-2022"

AMENDMENT NO. 14

On page 3, line 11, change "educational" to "accelerated learning"

AMENDMENT NO. 15

On page 3, at the end of line 13, delete "local," delete line 14, and insert "accelerated"

AMENDMENT NO. 16

On page 3, at the end of line 15, change "to" to "shall"

AMENDMENT NO. 17

On page 3, delete line 17-23, and insert the following:
"(2) Determine whether the student needs additional expanded academic support including accelerated instruction, summer learning programs, or other resources to meet the student's academic needs.

F.(1) Each city, parish, or other local public school board shall provide a report by June 1 of 2022 and 2023, to the state Department of Education on the number of students identified as needing expanded academic support, the number of students provided each type of academic support, and the number who failed to achieve mastery on any statewide assessment administered pursuant to the state's school and district accountability system during the 2021-2022 school year continuing to need additional academic support.

(2) The department shall submit a report to the Senate and House committees on education by July 1, 2022 and 2023, summarizing the information required by Paragraph (1) of this Subsection by school, by school system, and statewide.

G. The determination of whether students are in need of additional expanded academic support shall not be used in evaluating teacher performance or determining school or district accountability scores and letter grades.

§3996. Charter schools; exemptions; requirements

B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following laws otherwise applicable to public schools with the same grades:

(59) Expanded academic support, R.S. 17:100.13.

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

SENATE BILL NO. 240—

BY SENATOR LUNEAU

AN ACT

To enact R.S. 47:1675(K), relative to the utilization of income and corporation tax credits; to provide that the total corporation income and franchise tax credits claimed in a tax year cannot exceed the corporation's tax liability for the tax year; to provide that the total amount of certain business-related individual income tax credits cannot exceed the taxpayer's individual income tax liability for the tax year; to limit refundability of refundable credits; 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. 240 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 2, after "corporation" insert "franchise"

AMENDMENT NO. 2

On page 2, line 1, change "this Chapter" to "Subtitle VII of this Title"

AMENDMENT NO. 3

On page 2, at the beginning of line 3, insert "corporation"

AMENDMENT NO. 4

On page 2, line 4, change "this Chapter" to "Subtitle VII of this Title" and after "amount of" insert "corporation income and corporation franchise"

AMENDMENT NO. 5

On page 2, line 9, change "Subtitle VIII" to "Subtitle VII" and after "other than" delete the remainder of the line and insert "the credits provided for in R.S. 47:6104 and 6106."

AMENDMENT NO. 6

On page 2, line 12, change "Subtitle VIII" to "Subtitle VII"

AMENDMENT NO. 7

On page 2, line 13, after "amount of" insert "individual income"

AMENDMENT NO. 8

On page 2, line 14, after "other than" delete the remainder of the line and insert "the credits provided for in R.S. 47:6104 and 6106."

AMENDMENT NO. 9

On page 2, between lines 14 and 15, insert the following:
"(3) For all taxable years beginning on or after January 1, 2022, notwithstanding any provision of law to the contrary including contrary provisions in applicable tax credit statutes, total tax credits allowed pursuant to Subtitle VII of this Title shall not exceed the total fiduciary income tax liability of any taxpayer required to file a fiduciary income tax return. If the total amount of applicable tax credits authorized pursuant to Subtitle VII of this Title exceeds the amount of tax liability for the tax year, the excess credits shall not be refundable."

AMENDMENT NO. 10

On page 2, line 15, change "(3)" to "(4)"

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.

House Bills and Joint Resolutions on Second Reading Reported by Committees

HOUSE BILL NO. 199—

BY REPRESENTATIVES SCHEXNAYDER, BAGLEY, BISHOP, BRYANT, BUTLER, CARRIER, COUSSAN, DAVIS, DEVILLIER, ECHOLS, EDMONDS, FARNUM, FREEMAN, GADBERRY, GLOVER, GOUDEAU, GREEN, HARRIS, HILFERTY, HORTON, MIKE JOHNSON, TRAVIS JOHNSON, KERNER, LARVADAIN, MARCELLE, MCKNIGHT, MCMAHEN, MOORE, NELSON, NEWELL, ORGERON, PIERRE, PRESSLY, ROMERO, SELDERS, ST. BLANC, STAGNI, THOMAS, VILLIO, WHEAT, WHITE, AND WRIGHT

A JOINT RESOLUTION

Proposing to add Article VII, Section 3.1 of the Constitution of Louisiana, relative to sales and use tax collection; to create the State and Local Streamlined Sales and Use Tax Commission; to authorize the legislature to provide by law for the streamlined electronic collection of sales and use taxes; to provide for commission membership; to provide for commission duties and responsibilities; to provide for commission officers; to provide for the administration of sales and use taxes; to provide for the transfer of powers, duties, functions, and responsibilities of the Louisiana Sales and Use Tax Commission for Remote Sellers and the Louisiana Uniform Local Sales Tax Board; to provide for funding; to provide for submission of the proposed amendment to the electors; 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 Reengrossed House Bill No. 199 by Representative Schexnayder

AMENDMENT NO. 1

On page 4, line 18, delete "such collection" and insert "the commission shall not be created and such collection and administration"

On motion of Senator Allain, 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. 115 failed to pass on Monday, May 3, 2021, was reconsidered.

SENATE BILL NO. 115—

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 14:95.1(A), relative to illegal carrying and discharge of weapons; to prohibit possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to provide for consideration of certain juvenile offenses; and to provide for related matters.

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

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR FIELDS

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 10, 2021.

Reported without action by the Committee on Education. On motion of Senator Fields, the resolution was read by title and recommitted to the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATOR LAMBERT AND REPRESENTATIVE COUSSAN

A CONCURRENT RESOLUTION

To approve the annual state integrated coastal protection plan for Fiscal Year 2022, as adopted by the Coastal Protection and Restoration Authority Board.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Harris, Morris. Lists names of members voting YEAS.

Total - 37

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Peterson. Lists names of members who were ABSENT.

Total - 2

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

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATOR CATHEY

A CONCURRENT RESOLUTION

To recognize The North Face as an "Extraordinary Customer" of the Louisiana oil and gas and petrochemical industries.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Foil, Mills, R. Lists names of members voting YEAS.

Boudreaux	Jackson	Reese
Bouie	Johns	Smith
Carter	Lambert	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fields	Mills, F.	Womack

Total - 36

NAYS

Total - 0

ABSENT

Fesi	Peacock	Peterson
------	---------	----------

Total - 3

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

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the state Department of Education to study the feasibility of banning the use of corporal punishment in public schools.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mills, R.
Abraham	Foil	Mizell
Allain	Harris	Morris
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Bouie	Lambert	Smith
Carter	Luneau	Talbot
Cathey	McMath	Tarver
Cloud	Milligan	Ward
Connick	Mills, F.	Womack

Total - 33

NAYS

Total - 0

ABSENT

Fesi	Hensgens	Peterson
Henry	Peacock	White

Total - 6

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 29—
BY SENATORS ABRAHAM AND JOHNS
AN ACT

To enact R.S. 22:11(C), relative to the commissioner of insurance; to authorize the commissioner to take certain emergency actions related to insurance; to provide for limitations on these emergency actions; and to provide for related matters.

The bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 54—
BY SENATOR LUNEAU
AN ACT

To enact R.S. 22:1337(D), relative to homeowners' insurance; to provide for policy deductibles as applied to named storm, hurricane, and wind and hail deductibles; to require the execution of a separate form listing the specific amount for each deductible expressed as a percentage of the insured value of the property or as a specific dollar amount or both; and to provide for related matters.

Floor Amendments

Senator Luneau proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Luneau to Engrossed Senate Bill No. 54 by Senator Luneau

AMENDMENT NO. 1

On page 2, delete lines 6 through 10, and insert the following: "Section 2. This Act shall become effective on January 1, 2022; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 2022, or on the day following such approval by the legislature, whichever is later."

On motion of Senator Luneau, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Boudreaux	Johns	Smith
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	

Total - 37

NAYS

Total - 0

ABSENT

Fesi	Peterson
------	----------

Total - 2

The Chair declared the amended bill was passed, ordered reengrossed and 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. 70—
BY SENATOR ABRAHAM
AN ACT

To enact R.S. 22:1267.1, relative to commercial insurance; to provide with respect to commercial property insurance deductibles applied to named storm, hurricane, and wind and hail deductibles; and to provide for related matters.

May 4, 2021

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Harris Morris
Abraham Henry Peacock
Allain Hensgens Pope
Barrow Hewitt Price
Bernard Jackson Reese
Boudreaux Johns Smith
Bouie Lambert Talbot
Carter Luneau Tarver
Cathey McMath Ward
Cloud Milligan White
Connick Mills, F. Womack
Fields Mills, R.
Foil Mizell
Total - 37

NAYS

Total - 0

ABSENT

Fesi Peterson
Total - 2

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

SENATE BILL NO. 74— BY SENATOR PRICE

AN ACT

To enact R.S. 44:417(D), relative to property held by the state archives; to provide for disposition procedure; to provide for advertising requirements; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 74 by Senator Price

AMENDMENT NO. 1

On page 1, line 13, following "be" and before "abandoned" change "deemed" to "considered"

AMENDMENT NO. 2

On page 2, line 10, following "shall be" and before "abandoned" change "deemed" to "considered"

On motion of Senator Fred Mills, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Foil Morris
Abraham Harris Peacock
Allain Henry Pope
Barrow Hensgens Price
Bernard Hewitt Reese
Boudreaux Jackson Smith
Bouie Johns Talbot
Carter Lambert Ward
Cathey Luneau White
Cloud McMath Womack
Connick Milligan
Fields Mills, F.

Bernard Jackson Reese
Boudreaux Lambert Smith
Bouie Luneau Talbot
Carter McMath Tarver
Cathey Milligan Ward
Cloud Mills, F. White
Connick Mills, R. Womack
Fields Mizell
Total - 35

NAYS

Total - 0

ABSENT

Fesi Johns
Hensgens Peterson
Total - 4

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

SENATE BILL NO. 82— BY SENATOR CATHEY

AN ACT

To amend and reenact R.S. 22:2392(26) and 2393, relative to external review of health insurance issuers; to include dental insurance benefits in the Health Insurance Issuer External Review Act; to provide a minimum amount for a claim to be eligible for external review; and to provide for related matters.

Floor Amendments

Senator Cathey proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cathey to Engrossed Senate Bill No. 82 by Senator Cathey

AMENDMENT NO. 1

On page 1, line 4, between "claim" and "to be eligible" insert "related to a dental insurance policy"

AMENDMENT NO. 2

On page 2, line 7, between "B." and "Chapter" delete "This" and insert in lieu thereof the following: "For purposes of claims related to a dental insurance policy, this"

On motion of Senator Cathey, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Foil Mills, R.
Abraham Harris Mizell
Allain Henry Morris
Barrow Hensgens Peacock
Bernard Hewitt Pope
Boudreaux Jackson Price
Bouie Johns Reese
Carter Lambert Smith
Cathey Luneau Talbot
Cloud McMath Ward
Connick Milligan White
Fields Mills, F. Womack
Total - 36

NAYS

Total - 0

ABSENT

Fesi Peterson Tarver
Total - 3

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

SENATE BILL NO. 127—
BY SENATOR MCMATH

AN ACT

To amend and reenact R.S. 40:2162(D)(2), relative to behavioral health rehabilitation services in the Louisiana medical assistance program; to require a minimum level of education and training for certain providers; to make technical changes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Boudreaux	Johns	Smith
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	
Total - 37		

NAYS

Total - 0

ABSENT

Fesi Peterson
Total - 2

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

SENATE BILL NO. 130—
BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 22:1016(A) and to enact R.S. 22:1828 and 1964(30), relative to health insurance; to provide for provider claim payment and data information protections; to provide for definitions; to provide for payment by electronic funds transfer; to provide for violations; to provide for unfair or deceptive acts or practices in the business of insurance; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 130 by Senator Jackson

AMENDMENT NO. 1

On page 2, line 15, following "automated" and before "network" change "clearing-house" to "clearinghouse"

AMENDMENT NO. 2

On page 4, line 2, following "shall" and before "void" delete "null and"

AMENDMENT NO. 3

On page 4, line 4, before "to be unfair" change "deemed" to "considered"

On motion of Senator Fred Mills, the amendments were adopted.

Floor Amendments

Senator Jackson proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jackson to Engrossed Senate Bill No. 130 by Senator Jackson

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To enact R.S. 22:1828 and 1964(30) and R.S. 46:460.75, relative to"

AMENDMENT NO. 2

On page 1, delete line 8 and insert "Section 1. R.S. 22:1828 and"

AMENDMENT NO. 3

On page 1, delete lines 10 through 17

AMENDMENT NO. 4

On page 2, delete lines 1 through 10

AMENDMENT NO. 5

On page 2, delete lines 21 and 22 and insert ", or any similar entity."

AMENDMENT NO. 6

On page 4, after line 12 insert the following:

"Section 2. R.S. 46:460.75 is hereby enacted to read as follows:

§460.75. Provider claim payment and information protection

A. If a health care provider submits a request, either orally or in writing, to a managed care organization during the time prescribed by state law or regulation in which a managed care organization can subject a claim to any review or audit for purposes of reconsidering the validity of a claim, the managed care organization shall provide, within two business days of such request, a copy of all documentation that has been transmitted between the healthcare provider and the managed care organization, or their respective agents, that is associated with a claim for payment of a service. A managed care organization may, in lieu of providing a physical copy, provide electronic access of the documentation through the use of a provider portal or other electronic means to the provider. All information or documentation required to be provided to a health care provider by a managed care organization pursuant to this Section, whether by physical copy or electronic access, shall be provided at no cost to the health care provider.

B.(1) Any health care provider contract issued, amended, or renewed on or after January 1, 2021, between a managed care organization, its contracted vendor, or agent and a health care provider for the provision of health care services to a Medicaid enrollee shall not contain restrictions on methods of payment from the managed care organization or its vendor to the health

care provider in which the only acceptable payment method for health care services rendered requires the health care provider to pay a transaction fee, provider subscription fee, or any other type of fee or cost in order to accept payment from the managed care organization for the provision of health care services, or that would result in a monetary reduction in the health care provider's payment for the health care services rendered.

(2) If initiating or changing payments to a health care provider using electronic funds transfer payments a managed care organization, its contracted vendor, or agent shall:

(a) Notify the health care provider if any fees are associated with a particular payment method.

(b) Advise the provider of the available methods of payment and provide clear instructions to the health care provider as to how to select an alternative payment method that does not require the health care provider to pay a transaction fee, provider subscription fee, or any other type of fee or cost in order to accept payment from the managed care organization for the provision of health care services.

C. The provisions of this Section shall not be waived by contract, and any contractual clause in conflict with the provisions of this Section or that purport to waive any requirements of this Section are void.

D. If the managed care organization, its contracted vendor, or agent violates any provision of this Section, the department shall impose penalties on the managed care organization in accordance with contract provisions or rules and regulations promulgated pursuant to the Administrative Procedure Act, except that penalties shall be imposed without the necessity of the department having to issue any prior notice of corrective action.

E. As used in this Section, "electronic funds transfer" means an electronic funds transfer through the federal Health Insurance Portability and Accountability Act of 1996, P.L. 104-191, standard automated clearinghouse network.

On motion of Senator Jackson, the amendments were adopted.

The bill was read by title. Senator Jackson 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 counts for Yeas and Nays.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names of senators Fesi, Morris, and Peterson.

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

SENATE BILL NO. 133— BY SENATOR BARROW

AN ACT

To enact R.S. 40:1263 and 1264, relative to equity in health care services; to provide for the duties of the Louisiana Department of Health; to provide for best practices and protocols for treating communities with underlying medical conditions and health disparities; to establish and provide for the division of women's health; to provide for the purposes, duties, and functions of the division of women's health; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 136— BY SENATOR FRED MILLS

AN ACT

To amend and reenact R.S. 3:4104(G), R.S. 15:587.1.2(D), R.S. 22:11.1, R.S. 27:220(D), R.S. 29:784(B), R.S. 30:2019(C) and (D)(2)(d), 2019.1(E), and 2022(B)(3), R.S. 32:415.2(D)(1), R.S. 34:851.14.1(B), R.S. 36:254(D)(1)(a)(i), R.S. 40:5.3(E), 962(H), 2008.10(B), and 2136(B), R.S. 49:953(E)(1) and (G)(3)(d), 954(B), and R.S. 56:6.1(B), to enact R.S. 49:951(8) and 953.1, and to repeal R.S. 49:953(B), relative to emergency rulemaking; to provide for emergency rulemaking in extraordinary circumstances; to provide for criteria that justify an emergency rule; to provide for occurrences that do not satisfy emergency rulemaking; to provide for minimum information in an agency statement for emergency rulemaking; to provide for the effective date, duration, and applicability of an emergency rule; to provide for a maximum number of times an agency can promulgate an identical emergency rule; to provide for declaratory judgment of the validity of an emergency rule; to provide for legislative oversight of an emergency rule; to provide for gubernatorial oversight of an emergency rule; to provide for notice to the agency if an emergency rule is determined to be unacceptable; to provide for final action on the emergency rule; to provide technical changes to correlating statutes; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 136 by Senator Fred Mills

AMENDMENT NO. 1

On page 2, line 11, change "section" to "Section"

AMENDMENT NO. 2

On page 2, lines 12 through 13, change "the third paragraph of Subsection B of this section" to "Paragraph B(3) of this Section"

AMENDMENT NO. 3

On page 4, line 27, change "which" to "that"

AMENDMENT NO. 4

On page 7, line 15, change "(C)(4)" to "C(4)"

AMENDMENT NO. 5

On page 8, line 18, following "approved by the" delete "Legislative Fiscal Office" and insert "legislative fiscal office"

AMENDMENT NO. 6

On page 9, line 6, change "if any of the following provisions apply" to "for any of the following reasons"

AMENDMENT NO. 7

On page 10, line 11, change "(A)(1)" to "A(1)"

AMENDMENT NO. 8

On page 10, line 19, following "the attorney general" delete "of"

AMENDMENT NO. 9

On page 10, line 20, before ", the speaker" delete "Louisiana "

AMENDMENT NO. 10

On page 10, line 27, following "The" and before "may" change "Office of the State Register" to "office of the state register"

AMENDMENT NO. 11

On page 11, at the beginning of line 12, change "(A)(1)" to "A(1)"

AMENDMENT NO. 12

On page 11, line 27, change "committee" to "subcommittee"

AMENDMENT NO. 13

On page 12, line 1, after "conformity" and before "and not" insert "with"

AMENDMENT NO. 14

On page 12, line 18, after "same" and before "or" insert "as"

AMENDMENT NO. 15

On page 12, line 26, change "Subsection (D)(2)" to "Paragraph D(2)"

AMENDMENT NO. 16

On page 13, at the beginning of line 1, change "committee" to "subcommittee"

AMENDMENT NO. 17

On page 13, line 4, after "oversight" and before ":", change "committee" to "subcommittee"

On motion of Senator Fred Mills, the amendments were adopted.

Floor Amendments

Senator Fred Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills to Engrossed Senate Bill No. 136 by Senator Fred Mills

AMENDMENT NO. 1

On page 9, line 16, change "perpetually" to "continually"

On motion of Senator Fred Mills, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Boudreaux	Johns	Smith
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack

Fields

Foil
Total - 37

Mills, R.

Mizell

NAYS

Total - 0

ABSENT

Fesi

Total - 2

Peterson

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

SENATE BILL NO. 146—

BY SENATOR POPE

AN ACT

To amend and reenact R.S. 44:36, 39, the introductory paragraph of 411(A) and (A)(2) and (C), and 422, relative to preservation of public records; to provide relative to retention schedules; to provide for source document maintenance and conversion standards; to provide for accessibility of records; to provide for annual designation of records officers; to provide relative to investigations; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 146 by Senator Pope

AMENDMENT NO. 1

On page 2, line 10, following "shall be" and before "originals" change "deemed" to "considered"

AMENDMENT NO. 2

On page 4, line 26, following "be" and before "to" change "deemed" to "considered"

AMENDMENT NO. 3

On page 5, line 23, following "shall" and before "necessary" change "deem" to "consider"

On motion of Senator Fred Mills, the amendments were adopted.

Floor Amendments

Senator Pope proposed the following amendments.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 4, after "made" and before the period "." insert "except when an agency, as defined in R.S. 44:402, has an approved retention schedule pursuant to Subsection B of this Section"

AMENDMENT NO. 2

On page 2, line 17, after "State" and before the period "." insert "pursuant to the provisions of R.S. 44:411"

On motion of Senator Pope, the amendments were adopted.

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

May 4, 2021

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Bouie	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Total - 36		

NAYS

Total - 0

ABSENT

Carter	Fesi	Peterson
Total - 3		

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

SENATE BILL NO. 179—
BY SENATOR CONNICK

AN ACT

To amend and reenact R.S. 22:1266(A)(1)(a), relative to automobile insurance policies; to define an automobile insurance policy; to provide for coverage when an insured is logged on to a transportation network company; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Boudreaux	Johns	Smith
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	
Total - 37		

NAYS

Total - 0

ABSENT

Fesi	Peterson
Total - 2	

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

SENATE BILL NO. 196—
BY SENATOR MORRIS

AN ACT

To enact Chapter 15 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1701 through 1704, relative to social media; to provide relative to social media speech; to provide certain definitions, prohibitions, procedures, and requirements; to authorize certain actions and damages for violations; and to provide for related matters.

Floor Amendments

Senator Morris proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morris to Engrossed Senate Bill No. 196 by Senator Morris

AMENDMENT NO. 1

On page 2, line 15, after "(6)" insert "(a)"

AMENDMENT NO. 2

On page 2, line 18, change "(a)" to "(i)"

AMENDMENT NO. 3

On page 2, line 19, change "(b)" to "(ii)" and delete "subscribers" and insert "users with user profiles provided by the website"

AMENDMENT NO. 4

On page 2, line 20, change "(c)" to "(iii)"

AMENDMENT NO. 5

On page 2, between lines 21 and 22, inset the following:

"(b) "Social media website" shall not include an internet service provider, electronic mail, or any online service, application, or website consisting primarily of news, sports, entertainment, or other information or content that is not user generated, but is pre-selected or curated by the provider and for which any chat, comment, or interactive functionality is incidental to, directly related to, or dependent upon the provision of the content."

AMENDMENT NO. 6

On page 2, between lines 23 and 24 insert the following:

"(8) "User profile" means a collection of settings and information associated with a user or subscriber who signs up for an account made available by a social media website."

AMENDMENT NO. 7

On page 3, line 25, delete "or pornographic in nature" and insert "lewd, lascivious, filthy, or pornographic in nature"

AMENDMENT NO. 8

On page 4, between lines 1 and 2, insert the following:

"(h) Constitutes trademark or copyright infringement.
(i) Is excessively violent.
(j) Constitutes harassing spam of a commercial nature and not of a religious or political nature."

AMENDMENT NO. 9

On page 4, between lines 3 and 4, insert the following:

"(3) A website that merely permits members of the general public to post comments on content published by the owner of the website."

AMENDMENT NO. 10

On page 4, between lines 9 and 10, insert the following:

"C. Nothing in this Chapter shall be construed to limit or expand any law pertaining to intellectual property."

On motion of Senator Morris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hewitt	Pope
Abraham	Johns	Reese
Allain	Lambert	Talbot
Cloud	Mills, F.	White
Foil	Mizell	Womack
Henry	Morris	
Hensgens	Peacock	
Total - 19		

NAYS

Barrow	Connick	Milligan
Bernard	Fields	Mills, R.
Boudreaux	Harris	Price
Bouie	Jackson	Smith
Carter	Luneau	Tarver
Cathey	McMath	Ward
Total - 18		

ABSENT

Fesi	Peterson
Total - 2	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

SENATE BILL NO. 198—
BY SENATOR CATHEY

AN ACT

To enact R.S. 49:147, relative to access to state facilities; to prohibit denial of access to state facilities based on COVID-19 vaccination status; and to provide for related matters.

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

SENATE BILL NO. 218—
BY SENATOR FRED MILLS

AN ACT

To amend and reenact R.S. 22:1856(B), 1856.1(A), the introductory paragraph of 1856.1(B), 1856.1(B)(2)(a), (3)(a), and (4)(a), (D)(1)(b), (E)(5), and (G), the introductory paragraph of 1860.2(A), 1860.3(C) and (D), 1863(2), and 1867(A), R.S. 37:1256(B), and the introductory paragraph of R.S. 40:2868(A) and 2870(A)(4) and to enact R.S. 22:1856(C)(16) and (17), (G), and (H), 1856.1(H), 1856.2, 1860.3(E) and (F), 1863(10), and 1864(C) and R.S. 40:2864(D) and 2870(A)(21), (22), and (23), relative to the payment of pharmacy claims; to provide for pharmacy audits; to provide for reimbursements; to provide for definitions; to prohibit spread pricing; to provide for pharmacy benefit manager permits; to provide for the duties of pharmacy benefit managers; to provide for prohibited acts; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 218 by Senator Fred Mills

AMENDMENT NO. 1

On page 1, line 16, following "1860.3(C) and (D)," and before "are hereby" change "and 1863(2)" to "1863(2), and 1867(A)"

On motion of Senator Fred Mills, the amendments were adopted.

Floor Amendments

Senator Fred Mills proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills to Engrossed Senate Bill No. 218 by Senator Fred Mills

AMENDMENT NO. 1

On page 1, line 3, after "and (G)," insert "1860(C),"

AMENDMENT NO. 2

On page 1, line 4, delete "1863(2),"

AMENDMENT NO. 3

On page 1, line 6, change "22:1856(C)(16) and (17), (G), and (H)," to "22:1856(C)(16) and (17) and (G),"

AMENDMENT NO. 4

On page 1, line 7, after "1863(10) insert "and (11)"

AMENDMENT NO. 5

On page 1, line 15, after "and (G)," insert "1860(C),"

AMENDMENT NO. 6

On page 1, line 16, after "1860.2(A)," insert "and" and after "(D)" delete ", and 1863(2)"

AMENDMENT NO. 7

On page 1, line 17, change "22:1856(C)(16) and (17), (G), and (H)," to "22:1856(C)(16) and (17) and (G)," and change "1863(10)" to "1863(10) and (11)"

AMENDMENT NO. 8

On page 2, line 17, change "**Reimbursement**" to "**On or after January 1, 2023, reimbursement**"

AMENDMENT NO. 9

On page 2, line 18, change "**Reimbursement**" to "**On or after January 1, 2023, reimbursement**"

AMENDMENT NO. 10

On page 2, delete lines 20 through 27 and insert the following:
"G. The agent of a pharmacist or pharmacy, including but not limited to a pharmacy services administrative organization, shall send the pharmacist or pharmacy the complete remittance advice required by Subsection C of this Section on the date of payment for each claim."

AMENDMENT NO. 11

On page 5, line 9, delete "**No**" and insert "**On or after January 1, 2022, no**"

AMENDMENT NO. 12

On page 5, between lines 15 and 16, insert the following:
 "§1860. Violations; cease and desist orders; penalties
 * * *

C. An aggrieved party, **which may include a pharmacy benefit manager**, affected by the commissioner's decision, act, or order may

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demand a hearing in accordance with Chapter 12 of this Title, R.S. 22:2191 et seq.

* * *

AMENDMENT NO. 13

On page 5, line 24, change "C." to "C.(1)"

AMENDMENT NO. 14

On page 6, delete lines 3 through 6 and insert the following:

"(2) The provisions of Paragraph (1) of this Subsection shall only apply to a local pharmacy as defined in R.S. 22:1863.

D. No new agreements or extensions of existing agreements for the provision of pharmacy benefit manager services allowing for the reimbursement of a pharmacy or pharmacist in an amount less than the amount that the pharmacy benefit manager was paid by the health plan provider for the same claim shall be entered into after January 1, 2022."

AMENDMENT NO. 15

On page 6, delete lines 19 through 29 and on page 7, delete lines 1 through 6 and insert the following:

"(10) "Local pharmacy" means any pharmacy domiciled in at least one Louisiana parish that has fewer than ten retail outlets under its corporate umbrella.

(11) "Specialty Drug" means a prescription drug that is not readily available at a retail pharmacy, is prescribed for a person with a chronic, complex, life-threatening, or rare medical condition, and requires either of the following:

(a) Specialized product handling or administration by the dispensing pharmacy.

(b) Specialized clinical care, including requirement dosing adjustments, intensive clinical monitoring, or expanded services for patients. For the purposes of this Paragraph, "expanded services" may include intensive patient counseling, education, or ongoing clinical support beyond traditional dispensing activities such as individualized disease and therapy management to support improved health outcomes."

AMENDMENT NO. 16

On page 7, line 18, after "A." change "A" to "A On or before December 31, 2024, a"

AMENDMENT NO. 17

On page 7, delete lines 20 and 21 and insert the following: "state unless the pharmacy benefit manager provides written notice as provided in Subsection B of this Section. **Effective January 1, 2022, no new agreement or extension of an existing agreement for the provision of pharmacy benefit manager services shall allow for spread pricing.**"

AMENDMENT NO. 18

On page 8, line 24, change "Conduct" to "~~C~~onduct **On or before December 31, 2024, conduct**"

AMENDMENT NO. 19

On page 8, delete line 25 and insert the following: "without providing the notice required by R.S. 22:1867 **or, effective January 1, 2022, enter into a new agreement or extension of an existing agreement for the provision of pharmacy manager benefit services allowing for spread pricing.**"

AMENDMENT NO. 20

On page 9, line 3, delete "**Reimburse**" and insert "**On or after January 1, 2025, reimburse**"

AMENDMENT NO. 21

On page 9, line 5, after "**claim**" insert the following: "**or, effective January 1, 2022, enter into a new agreement or extension of an existing agreement for the provision of pharmacy benefit manager services allowing for the reimbursement of a pharmacy or pharmacist in an amount less than the amount that the pharmacy benefit manager was paid by the health plan provider for the same claim**"

AMENDMENT NO. 22

On page 9, line 7, delete " between pharmacy benefit managers and" and delete lines 8 through 10 and insert "of this Act. Effective January 1, 2022, no new agreement or extension of an existing agreement for the provision of pharmacy benefit manager services shall allow for spread pricing."

AMENDMENT NO. 23

On page 9, delete lines 13 and 14

AMENDMENT NO. 24

On page 9, line 15, delete "Section 7. Except as provided in Sections 5 and 6 " and insert "Section 6. Except as provided in Section 5"

On motion of Senator Fred Mills, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Bouie	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Ward
Connick	Milligan	White
Fields	Mills, F.	Womack
Foil	Mills, R.	

Total - 35

NAYS

Total - 0

ABSENT

Carter	Peterson
Fesi	Tarver

Total - 4

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

SENATE BILL NO. 245— (Substitute of Senate Bill No. 71 by Senator Bernard)

BY SENATOR BERNARD

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1734(A) and 1734.1, relative to civil jury trials; to provide for the costs and expenses related to jury trials; to provide for the payment of jurors; to provide for certain deposits and amounts; to provide for certain actions by the court and clerk; to provide certain terms, conditions, and procedures; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Boudreaux	Johns	Reese
Bouie	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack

Total - 36

NAYS

Total - 0

ABSENT

Carter	Fesi	Peterson
Total - 3		

The Chair declared the bill was passed and ordered it sent to the House. Senator Bernard 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 Cathey asked that Senate Bill No. 198 be called from the Calendar.

SENATE BILL NO. 198—
BY SENATOR CATHEY

AN ACT

To enact R.S. 49:147, relative to access to state facilities; to prohibit denial of access to state facilities based on COVID-19 vaccination status; and to provide for related matters.

Floor Amendments

Senator Luneau proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Luneau to Engrossed Senate Bill No. 198 by Senator Cathey

AMENDMENT NO. 1

On page 1, line 8, after "facility" insert "intended for public use"

On motion of Senator Luneau, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hewitt	Peacock
Abraham	Jackson	Pope
Allain	Johns	Reese
Bernard	Lambert	Smith
Cathey	McMath	Talbot
Cloud	Milligan	Ward
Connick	Mills, F.	White

Foil	Mills, R.	Womack
Henry	Mizell	
Hensgens	Morris	
Total - 28		

NAYS

Barrow	Carter	Luneau
Boudreaux	Fields	Price
Bouie	Harris	Tarver
Total - 9		

ABSENT

Fesi	Peterson
Total - 2	

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

Called from the Calendar

Senator Ward asked that Senate Bill No. 147 be called from the Calendar.

SENATE BILL NO. 147—
BY SENATOR WARD

AN ACT

To enact Subpart G-2 of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:210 through 210.7, relative to the operation of personal delivery devices; relative to motor vehicles and traffic regulations; to provide for definitions and terms; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 147 by Senator Ward

AMENDMENT NO. 1

On page 1, line 4, following "devices;" insert "to provide"

AMENDMENT NO. 2

On page 2, line 8, following "human" and before ":" insert "being"

AMENDMENT NO. 3

On page 3, line 16, following "under" and before ", Subpart F" change "49 C.F.R. Part 172" to "49 CFR Part 172"

On motion of Senator Fred Mills, the amendments were adopted.

Floor Amendments

Senator Ward proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ward to Engrossed Senate Bill No. 147 by Senator Ward

AMENDMENT NO. 1

On page 1, line 4, change "relative to" to "to provide for the applicability of"

AMENDMENT NO. 2

On page 3, line 17, change "as provided by" to "by an agent of the business entity meeting the requirements of"

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AMENDMENT NO. 3

On page 3, at the end of line 17, change "for personal" to "(A)." and delete line 18.

AMENDMENT NO. 4

On page 3, line 23, change "on" to "in"

AMENDMENT NO. 5

On page 4, line 11, change "on" to "in"

On motion of Senator Ward, the amendments were adopted.

Floor Amendments

Senator Ward proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ward to Engrossed Senate Bill No. 147 by Senator Ward

AMENDMENT NO. 1

On page 2, line 4, after "means a" delete "device that" and insert, "powered device that travels at the speed of twenty miles per hour or less, is less than five hundred pounds, excluding cargo,"

AMENDMENT NO. 2

On page 2, line 5, after "supplementary areas" insert "1"

AMENDMENT NO. 3

On page 2, line 10, after "by" insert "the provisions of"

AMENDMENT NO. 4

On page 2, line 11, after "Subpart" delete the remainder of the line and delete line 12 and insert "and Federal Aviation Administration airport regulations."

AMENDMENT NO. 5

On page 3, line 7, after "other" before "traffic" insert "lawful"

AMENDMENT NO. 6

On page 4, line 10, after "A." delete the remainder of the line and delete lines 11 through 13 and insert the following: "Personal delivery devices may be prohibited by local resolutions or ordinances if the local government determines that the prohibition is in the interest of public safety."

On motion of Senator Ward, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators under YEAS and NAYS categories.

NAYS

Total - 0

ABSENT

Table listing names of absent senators: Carter, Fesi, Harris, Peterson.

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 56—

BY SENATOR JOHNS

A RESOLUTION

To recognize Wednesday, May 5, 2021, as Tourism Day at the Louisiana State Capitol.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To recognize January 22, 2022, as the Day of Tears in Louisiana and to encourage Louisiana citizens to lower their flags to half-staff to mourn the innocent, pre-born children who have lost their lives due to abortion.

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

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Bradley Dewayne Cryer, assistant legislative auditor.

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

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To commend Tanya Lea Crowe for being crowned Miss Louisiana USA 2021.

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

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To recognize September 19-25, 2021, as National Surgical Technologists Week and to commend the Louisiana Assembly of the Association of Surgical Technologists for their outstanding skill in maintaining hospital surgery safety in Louisiana, ensuring that surgical teams adhere to aseptic and sterile techniques, and for training other hospital health care providers in patient care sterilization procedures during the COVID-19 pandemic.

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To commend DeVonta Versean Smith on his accomplishments as the recipient of the 2020 Heisman Trophy and numerous awards and accolades.

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

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To recognize April 2021 as Second Chance Month and honors the work of communities, governmental institutions, nonprofits, congregations, employers, and individuals to remove unnecessary legal and societal barriers that prevent individuals with a criminal record from becoming productive members of society.

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

SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR HENSGENS

A CONCURRENT RESOLUTION

To create the Risk Charge Commission to study and make recommendations regarding the costs and risks in drilling a well in a compulsory unit created by the office of conservation.

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

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR MCMATH

A CONCURRENT RESOLUTION

To create the Survivor Informed Task Force to study the link between trauma, abuse, and subsequent incarceration, including secondary survivors of domestic or intimate partner violence, and to make recommendations to the legislature.

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

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR BOUDREAUX

A CONCURRENT RESOLUTION

To memorialize the Louisiana congressional delegation and the United States Congress to take such actions as are necessary to rename the United States Department of Veterans Affairs' Lafayette Community Based Outpatient Clinic in honor of Rodney C. Hamilton Sr.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 4, 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. 18

HCR No. 34

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

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE EMERSON

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to conduct a study of processes used to collect, investigate, track, monitor, and disclose complaints and deficiencies relative to child care providers and to submit a written report of findings and conclusions, including any recommendations for related legislation, to the House Committee on Education and the Senate Committee on Education not later than sixty days prior to the beginning of the 2022 Regular Session of the Legislature.

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

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVES BUTLER, CARRIER, EDMONSTON, MIKE JOHNSON, KERNER, LANDRY, NEWELL, AND VILLIO

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to study potential means of financing dental care for adult residents of intermediate care facilities for persons with intellectual and developmental disabilities and to report findings of the study to the House Committee on Appropriations, the Senate Committee on Finance, and the legislative committees on health and welfare.

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 3, 2021

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. 47—

BY REPRESENTATIVE IVEY AND SENATORS BARROW, FOIL, POPE, AND WHITE

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana on the death of Bradley Dewayne Cryer, assistant legislative auditor and director of local government services.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE DUSTIN MILLER AND SENATORS BOUDREAUX, CLOUD, AND HENSGENS

A CONCURRENT RESOLUTION

To designate May 2-9, 2021, as Tardive Dyskinesia Awareness Week.

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVES HARRIS, FIRMENT, AND MIKE JOHNSON AND SENATORS BERNARD, LUNEAU, AND WOMACK

A CONCURRENT RESOLUTION

To commend Alexandria city councilman, Harry Silver, on the occasion of his retirement.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE WHEAT AND SENATORS MCMATH, PEACOCK, POPE, AND WHITE

A CONCURRENT RESOLUTION

To commend the members of the United States Armed Forces for their service and to proclaim May 2021 as Military Appreciation Month.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Pope
Barrow	Hewitt	Price
Bernard	Jackson	Reese
Boudreaux	Johns	Smith
Bouie	Lambert	Talbot
Carter	Luneau	Tarver
Cathey	McMath	Ward
Cloud	Milligan	White
Connick	Mills, F.	Womack
Fields	Mills, R.	
Foil	Mizell	
Total - 37		

ABSENT

Fesi	Peterson
Total - 2	

Leaves of Absence

The following leaves of absence were asked for and granted:

Fesi	1 Day	Peterson	1 Day
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Announcements

The following committee meetings for May 5, 2021, were announced:

Commerce	9:30 A.M.	Room E
Health and Welfare	10:00 A.M.	Hainkel Room
Insurance	10:00 A.M.	Room A
Senate and Gov't Affairs	9:00 A.M.	Room F

Adjournment

On motion of Senator Talbot, at 4:40 o'clock P.M. the Senate adjourned until Wednesday, May 5, 2021, at 2:00 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