

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TWENTIETH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 21, 2022

The Senate was called to order at 9:43 o'clock A.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	Fields	Mizell
Abraham	Foil	Morris
Allain	Henry	Peacock
Barrow	Hensgens	Pope
Bernard	Hewitt	Price
Boudreaux	Jackson	Reese
Bouie	Lambert	Smith
Carter	Luneau	Stine
Cathey	McMath	Talbot
Cloud	Milligan	Womack
Connick	Mills, F.	
Fesi	Mills, R.	

Total - 34

ABSENT

Harris	Ward
Tarver	White

Total - 4

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

Prayer

The prayer was offered by Bishop Joseph Banks, 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 Fred Mills, the reading of the Journal was
dispensed with and the Journal of April 20, 2022, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 80—

BY SENATORS BARROW, ABRAHAM, ALLAIN, BERNARD,
BOUDREAU, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ,
FESI, FIELDS, FOIL, HENRY, HENSGENS, HEWITT, JACKSON,
LAMBERT, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT
MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH,
STINE, TALBOT, WHITE AND WOMACK

A RESOLUTION

To express sincere and heartfelt condolences to the family of Devin
Jamal Page Jr.

Senator Barrow asked for and obtained a suspension of the rules
to read Senate Resolution No. 80 a first and second time.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Mikaylah Williams, a junior at Parkway High School,
on being selected the 2021-2022 Gatorade Louisiana Girls
Basketball Player of the Year award.

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

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend the creators of the film, The Five Priests, on being
honored as an Official Selection of the 2022 Cannes World Film
Festival.

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

SENATE CONCURRENT RESOLUTION NO. 36—

BY SENATOR CORTEZ

A CONCURRENT RESOLUTION

To commend Herb Schilling on being honored at the University of
Louisiana-Lafayette Alumni Association's twenty-fifth annual
Spring Gala.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 76—

BY SENATOR FOIL

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature
of Louisiana upon the death of John Compton Jr. and to
recognize his outstanding accomplishments.

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

SENATE RESOLUTION NO. 77—

BY SENATOR FRED MILLS

A RESOLUTION

To urge and request the Louisiana Department of Health to study and
make recommendations on best practices for coordinating
healthcare services for patients with cancer.

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

SENATE RESOLUTION NO. 78—

BY SENATOR MORRIS

A RESOLUTION

To commend Andrew Whitworth on winning Superbowl LVI with
the Los Angeles Rams, and on being named the 2021 National
Football League (NFL) Walter Payton Man of the Year.

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

April 21, 2022

SENATE RESOLUTION NO. 79—

BY SENATOR BERNARD

A RESOLUTION

To commend Jay Cicero upon receiving the 2022 Dave Dixon Louisiana Sports Leadership Award and on being inducted into the 2022 class of the Louisiana Sports Hall of Fame.

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 21, 2022

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. 37 HB No. 97 HB No. 228
HB No. 304 HB No. 318 HB No. 582
HB No. 834 HB No. 842 HB No. 249
HB No. 263 HB No. 307 HB No. 363
HB No. 473 HB No. 868 HB No. 919
HB No. 990

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 37—

BY REPRESENTATIVES MCCORMICK, AMEDEE, BACALA, BAGLEY, BUTLER, CARRIER, CORMIER, CREWS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FIRMENT, FRIEMAN, GADBERRY, GAROFALO, GEYMAN, HARRIS, HODGES, HOLLIS, HORTON, HUVAL, IVEY, MIKE JOHNSON, MACK, MCFARLAND, MIGUEZ, ORGERON, CHARLES OWEN, ROBERT OWEN, RISER, ROMERO, SCHAMERHORN, SEABAUGH, AND WRIGHT

AN ACT

To amend and reenact R.S. 40:1379.3(B) and to enact R.S. 14:95(M) and R.S. 40:1379.3.3, relative to the illegal carrying of weapons; to exempt certain persons from the crime of illegal carrying of weapons; to provide relative to concealed handgun permits; to provide relative to the authority of a person to carry a concealed handgun without a permit; to provide for the Louisiana Firearm Safety Awareness Act; to provide relative to an online education course; to provide for a purpose; to provide relative to course topics; to provide relative to database maintenance; to provide for promulgation of rules; and to provide for related matters.

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

HOUSE BILL NO. 97—

BY REPRESENTATIVE MAGEE

AN ACT

To amend and reenact R.S. 38:2212(C)(3), relative to the termination date applicable to provisions governing certain work not publicly bid; to extend the termination date for the restoration or rehabilitation of a levee not maintained with federal funds and not publicly bid; and to provide for related matters.

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

HOUSE BILL NO. 228—

BY REPRESENTATIVE ZERINGUE

AN ACT

To repeal R.S. 39:1538(E) and R.S. 49:257(B), relative to judgments against the state; to repeal requirements relative to tracking and reporting of unpaid judgments against the state; to repeal provisions regarding submission of judgments directly to the legislature; and to provide for related matters.

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

HOUSE BILL NO. 249—

BY REPRESENTATIVE WRIGHT

AN ACT

To amend and reenact R.S. 44:4.1(B)(21) and to enact R.S. 34:3499.2, relative to certain port facility records; to provide for the confidentiality of blueprints, floor plans, and interior renderings of such facilities and of blueprints, plans, and renderings of port infrastructure; to provide for an effective date; to provide for a public record exception; and to provide for related matters.

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

HOUSE BILL NO. 263—

BY REPRESENTATIVE MINCEY

AN ACT

To enact R.S. 17:81(BB), relative to the powers and duties of public school governing authorities; to require public schools and school districts to establish student check-out policies; to require a periodic review of such policies; and to provide for related matters.

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

HOUSE BILL NO. 304—

BY REPRESENTATIVE FRIEMAN

AN ACT

To enact Subpart B-2 of Part II of Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1845.1, relative to payment of claims for physical therapy services provided through telehealth; to prohibit maximum amounts of coverage and other conditions for coverage relative to telehealth services that are inapplicable to in-person services; to authorize enforcement and rulemaking; to provide for definitions; to provide for exceptions; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 307—

BY REPRESENTATIVE ILLG AND SENATOR SMITH

AN ACT

To enact R.S. 22:1023.2, relative to health insurance coverage for a living organ donor; to provide for definitions; to prohibit the denial or conditioning of certain insurance policies based on the policyholder's status as a living organ donor; and to provide for related matters.

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

HOUSE BILL NO. 318—

BY REPRESENTATIVE ZERINGUE
AN ACT

To amend and reenact R.S. 49:191(1) and to repeal R.S. 49:191(10)(b), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; 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. 363—

BY REPRESENTATIVES BRYANT, FREEMAN, JEFFERSON, AND CHARLES OWEN
AN ACT

To amend and reenact R.S. 17:3902(B)(5), relative to the evaluation of teachers and administrators; to require that student learning targets used to inform the student growth component of an evaluation be developed in a meeting of each person being evaluated and his evaluator; to prohibit such targets not developed in this manner from being used in evaluations; and to provide for related matters.

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

HOUSE BILL NO. 473—

BY REPRESENTATIVE DUPLESSIS
AN ACT

To amend and reenact R.S. 44:32(C)(1)(a), relative to public records; to provide for examination of public records; to provide for a fee for transmitting electronic copies of public records; 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. 582—

BY REPRESENTATIVES STAGNI, CREWS, DUPLESSIS, ECHOLS, EMERSON, FISHER, GAINES, HARRIS, IVEY, MIKE JOHNSON, JORDAN, LAFLEUR, LARVADAIN, MARCELLE, MCMAHEN, CHARLES OWEN, PRESSLY, SCHLEGEL, SELDERS, AND THOMPSON
AN ACT

To amend and reenact R.S. 37:1103(introductory paragraph) and to enact R.S. 37:1131 through 1145, relative to adding the state of Louisiana to the Licensed Professional Counselors Interstate Compact; to provide for the increase of public access to professional counseling services; to provide for the enhancement of public health and safety; to provide for multistate practice regulations; to provide for spousal support for relocating active duty military personnel; to provide for the exchange of licensure among member states; to provide for use of telehealth technology; to provide for uniformity of professional counseling licensure requirements; to eliminate the requirement for licenses in multiple states, to provide for opportunities for interstate practice by licensed professional counselors who meet uniform licensure 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. 834—

BY REPRESENTATIVE ILLG
AN ACT

To amend and reenact R.S. 9:154(A)(16) and (17) and to enact R.S. 9:153(12)(i), 154(A)(18), and 157.1, relative to unclaimed property; to provide relative to definitions; to provide relative to the definition of "property" for a sports wagering account; to provide relative to abandoned property; to provide relative to abandoned funds in a sports wagering account; to prohibit

charges by a licensee or sports wagering account operator on abandoned sports wagering accounts; and to provide for related matters.

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

HOUSE BILL NO. 842—

BY REPRESENTATIVE MCMAHEN
AN ACT

To enact R.S. 9:2800.28, relative to liability; to provide relative to veterinary professionals; to provide relative to animal abuse and reporting; to provide for immunity from civil liability or criminal prosecution; to provide relative to the release of confidential 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. 868—

BY REPRESENTATIVES MIGUEZ, FONTENOT, GAROFALO, GOUDEAU, AND MARCELLE
AN ACT

To enact R.S. 40:1379.3.3, relative to firearms; to provide for the Louisiana Firearm Safety Awareness Act; to provide relative to an online education course; to provide for a purpose; to provide relative to course topics; to provide relative to database maintenance; to provide for promulgation of rules; and to provide for related matters.

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

HOUSE BILL NO. 919—

BY REPRESENTATIVE TURNER
AN ACT

To enact R.S. 41:906, relative to the exchange of school land; to authorize the Union Parish School Board to exchange school land, including but not limited to sixteenth section land; to provide for procedures, terms, and conditions, including advertisement, appraisals, and public hearing for such exchange; and to provide for related matters.

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

HOUSE BILL NO. 990—

BY REPRESENTATIVE PRESSLY
AN ACT

To enact Part VII of Subchapter A of Chapter 5-F of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1273.1, relative to the COVID-19 vaccine; to provide for the prohibition of state and local vaccination mandates; to provide for exceptions; and to provide for related matters.

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

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

HOUSE BILL NO. 33—

BY REPRESENTATIVES DEVILLIER AND ROMERO
AN ACT

To amend and reenact R.S. 17:236(A) and to enact Chapter 43-C of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:4037.1 through 4037.8, relative to elementary and secondary education; to create and provide for the administration of a program to provide state funding for the education of students not enrolled in public school; to provide relative to the eligibility of students, schools, and service providers participating in the program; to provide relative to program funds; to provide relative to the testing of students

participating in the program; to require the state Department of Education to submit annual reports to the legislature relative to the program; to provide relative to rules; to provide relative to definitions; 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 Education.

HOUSE BILL NO. 35—
BY REPRESENTATIVE FARNUM
AN ACT

To amend and reenact R.S. 18:196(A)(1) and (D) and to enact R.S. 18:192.1, relative to the annual canvass of persons registered to vote; to provide for a supplemental annual canvass of persons registered to vote; to provide relative to an inactive list of voters; to provide for updating voter registration information; 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 Senate and Governmental Affairs.

HOUSE BILL NO. 42—
BY REPRESENTATIVE FRIEMAN
AN ACT

To amend and reenact R.S. 14:95(K), relative to carrying of weapons; to provide relative to the crime of illegal carrying of weapons; 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 C.

HOUSE BILL NO. 43—
BY REPRESENTATIVES FRIEMAN, MCCORMICK, AND CHARLES OWEN
AN ACT

To enact Part V of Chapter 9 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1813 through 1817, relative to enforcement of federal firearm laws; to provide relative to infringements on a citizen's right to keep and bear arms; to enact the Louisiana Firearm Protection Act; to prohibit enforcement of federal firearm laws; to provide for definitions; to provide relative to application; to provide relative to a right of action; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 54—
BY REPRESENTATIVES BAGLEY AND FRIEMAN
AN ACT

To enact R.S. 14:101.3, relative to discrimination; to create the crime of discrimination based on vaccination status; to provide for a fine; 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 Judiciary C.

HOUSE BILL NO. 91—
BY REPRESENTATIVE MUSCARELLO
AN ACT

To amend and reenact Code of Civil Procedure Article 1633.1, relative to live trial testimony by audio-visual means; to authorize the presentation of witness testimony by any audio-visual means; to provide for the authority of the court; to provide for the consent of the parties; and to provide for related matters.

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

HOUSE BILL NO. 235—
BY REPRESENTATIVE MCFARLAND
AN ACT

To amend and reenact R.S. 46:1053(BB) and to repeal Act No. 171 of the 2017 Regular Session of the Legislature, relative to the Jackson Parish Hospital Service District; to provide relative to the governing commission of the district; to provide for qualifications of members of the governing commission; to provide for appointment of the commission members; to repeal laws relative to governance of a hospital service district in any parish with a population greater than sixteen thousand and less than seventeen thousand according to the latest federal decennial census; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 245—
BY REPRESENTATIVE MINCEY
AN ACT

To enact Children's Code Articles 1432(D) and 1433(F) and R.S. 17:184, relative to information required for a minor to be taken from school into protective custody; to require that certain information be provided to a school administrator; and to provide for related matters.

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

HOUSE BILL NO. 310—
BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact R.S. 39:128(B)(1), (2), and (4)(a) and (b) and to enact R.S. 39:128(E) and 1572(B)(7), relative to the Louisiana Universities Marine Consortium for Research and Education; to provide with respect to certain capital outlay projects undertaken by the consortium; to provide with respect to certain public contract procurements made by the consortium; 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. 319—
BY REPRESENTATIVE CREWS
AN ACT

To amend and reenact R.S. 2:602(A)(1) and to enact R.S. 2:602(A)(3) and (4), relative to the appointment and qualifications of the Shreveport Airport Authority commissioners; to require the appointment of at least one commissioner with aviation experience after a certain date; to require documentation evidencing the requisite experience; 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. 346—
BY REPRESENTATIVES THOMPSON, AMEDEE, BRASS, DUBUISSON, EDMONDS, FREEMAN, FREIBERG, HARRIS, HILFERTY, HUGHES, JEFFERSON, KERNER, CHARLES OWEN, ROMERO, SCHLEGEL, ST. BLANC, TARVER, VILLIO, AND WHEAT
AN ACT

To enact R.S. 17:7.6, relative to education; to establish a program for the purpose of awarding scholarships to students in certain teacher preparation programs; to provide for program administration by the state Department of Education; to create a fund for the purpose of funding the program; to require the State Board of Elementary and Secondary Education to adopt rules relative to the program and the fund; and to provide for related matters.

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

HOUSE BILL NO. 630—
BY REPRESENTATIVE BRYANT
AN ACT

To designate a portion of Louisiana Highway 31 in Iberia Parish and St. Martin Parish as the "Judge Paul deMahy Highway"; to designate a portion of Louisiana Highway 675 in Iberia Parish as the "Judge Charles L. Porter Highway"; to designate a portion of Louisiana Highway 347 in St. Martin Parish as the "Judge Carl J. Williams Memorial Parkway"; to designate a portion of Louisiana Highway 96 in St. Martin Parish as the "Judge C. Thomas Bienvenu, Jr. Memorial Highway"; 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. 645—
BY REPRESENTATIVES MAGEE AND EDMONSTON
AN ACT

To amend and reenact the heading of Subpart O of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950 and to enact R.S. 39:100.62, relative to special funds; to create the Community Options Waiver Fund as a special fund in the state treasury; to provide for dedication of certain revenues and for the deposit and use of monies in the fund; 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 Finance.

HOUSE BILL NO. 647—
BY REPRESENTATIVE HILFERTY
AN ACT

To amend and reenact R.S. 33:9091.14(D)(1), (2), (4), (5), and (6), relative to Orleans Parish; to provide relative to the Mid-City Security District; to provide relative to the governing board of the district; to provide relative to the membership of the board; to provide relative to board appointments and officers; 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 Local and Municipal Affairs.

HOUSE BILL NO. 655—
BY REPRESENTATIVE COUSSAN AND SENATOR ALLAIN
AN ACT

To amend and reenact R.S. 30:136.3(D) and 1154(A)(introductory paragraph), (B), (C), and (D) and to enact R.S. 30:136.3(B)(5) and 1154(A)(9), (E), and (F), relative to solar energy; to provide for the powers and duties of the secretary of the Department of Natural Resources; to require a permit to construct or operate a solar power generation facility; to provide for fees; to provide for financial security; to provide for the Mineral and Energy Operation Fund; to provide for definitions; 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. 687—
BY REPRESENTATIVE ORGERON
AN ACT

To amend and reenact R.S. 49:214.5.4(E)(1), (3), (4)(introductory paragraph) and (b), and (5)(a)(introductory paragraph) and (b), and (F) and to enact R.S. 49:214.5.4(K), relative to federal proceeds from alternative energy production in the coastal area; to provide for disposition of revenues; to provide for restrictions on the use of revenues; 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. 742—
BY REPRESENTATIVE BISHOP
AN ACT

To enact R.S. 27:416(C)(3)(c) and 417(A)(6)(h) and to repeal R.S. 27:417(A)(2), relative to the Video Draw Poker Devices Control Law; to provide relative to qualified truck stop facilities; to provide relative to the requirements of qualified truck stop facilities; to provide relative to the criteria of qualified truck stop facilities; to provide relative to amenity requirements; 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. 749—
BY REPRESENTATIVE BISHOP
AN ACT

To amend and reenact the heading of Subpart B-1 of Part III of Chapter I of Title 17 of the Louisiana Revised Statutes of 1950, R.S. 17:200, 203(7) and 205(Section heading) and (A) and to enact R.S. 17:215(E) and Chapter 17-A of Title 49 of the Revised Statutes of 1950, to be comprised of R.S. 49:1131 through 1143 and to repeal R.S. 17:203(3) through (6), 204, 205(C), and 206 through 214, relative to litter abatement responsibilities and programs; to remove litter reduction and litter awareness functions from the Department of Education and place them within the Department of Culture, Recreation and Tourism; to provide for the litter abatement grant program; and to provide for related matters.

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

HOUSE BILL NO. 855—
BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 32:361.2(A)(3)(c), relative to tinting of motor vehicle windows for a medical exemption; to provide for an exemption relative to certain diagnosed medical or physical conditions; to provide for the duration of the medical exemption applicable to window tinting; 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. 903—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 35:626(B) and to enact R.S. 35:626(C), relative to notaries; to provide relative to remote online notarization; to provide relative to execution of certain notarial acts; and to provide for related matters.

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

HOUSE BILL NO. 905—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact Code of Civil Procedure Article 4614, relative to partition of co-owned property; to provide relative to purchase by a co-owner; to provide for credit for property interest in property; and to provide for related matters.

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

April 21, 2022

HOUSE BILL NO. 1059— (Substitute for House Bill No. 500 by Representative Bacala)
BY REPRESENTATIVE BACALA
AN ACT

To enact Code of Criminal Procedure Article 313(E), relative to bail; to provide relative to a contradictory bail hearing prior to setting bail; to require a contradictory bail hearing prior to setting bail for certain persons; to require the court to order a contradictory hearing to be held within a certain period of time; and to provide for related matters.

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

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 3— BY REPRESENTATIVE BAGLEY
A CONCURRENT RESOLUTION

To repeal the Louisiana Department of Health rule, LAC 51:II.701(A)(7) and (E), which adds COVID vaccines to the state immunization schedule, requires schools to prohibit in-person school attendance by certain students, and imposes on schools record-keeping requirements relating to student vaccination status; and to direct the office of the state register to print the notice of the repeal in the Louisiana Administrative Code.

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

HOUSE CONCURRENT RESOLUTION NO. 15— BY REPRESENTATIVE CORMIER
A CONCURRENT RESOLUTION

To urge and request the Board of Regents to purchase chest compression devices for certain public universities throughout the state.

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

HOUSE CONCURRENT RESOLUTION NO. 37— BY REPRESENTATIVE AMEDEE
A CONCURRENT RESOLUTION

To direct the state Department of Education to publish certain student enrollment information on its website each year.

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

HOUSE CONCURRENT RESOLUTION NO. 77— BY REPRESENTATIVE IVEY
A CONCURRENT RESOLUTION

To designate April 2022 as Sexual Assault Awareness Month in the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS': Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Fesi, Fields, Foil, Henry, Hensgens, Hewitt, Jackson, Mizell, Morris, Peacock, Pope, Price, Reese, Smith.

Table listing names of members who voted 'NAYS': Carter, Cathey, Cloud, Connick, Lambert, McMath, Milligan, Mills, F., Stine, Ward, White, Womack.

Total - 33

NAYS

Total - 0

ABSENT

Table listing names of members who were absent: Harris, Luneau, Mills, R., Talbot, Tarver.

Total - 5

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 104— BY SENATOR MIZELL
AN ACT

To enact R.S. 40:2006.3, relative to licensed healthcare facilities; to require certain licensed healthcare facilities to permit certain communications by patients or residents; to provide for conditions for licensure; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 104 by Senator Mizell

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line and insert "R.S. 40:2175.8, relative to outpatient abortion facilities; to require outpatient"

AMENDMENT NO. 2

On page 1, line 3, change "healthcare" to "abortion" and delete "or residents"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 40:2006.3" to "R.S. 40:2175.8"

AMENDMENT NO. 4

On page 1, line 8, change "§2006.3" to "§2175.8"

AMENDMENT NO. 5

On page 1, line 10, delete "a healthcare" and insert "an outpatient abortion"

AMENDMENT NO. 6

On page 1, line 11, change "No" to "If an"

AMENDMENT NO. 7

On page 1, line 12, change "healthcare" to "outpatient abortion" and change "shall require" to "requires"

AMENDMENT NO. 8

On page 1, line 14, after "facility" insert ", the facility shall provide telephone access in each procedure room"

AMENDMENT NO. 9

On page 1, delete lines 15 through 17 and on page 2, delete lines 1 through 3

AMENDMENT NO. 10

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

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

SENATE BILL NO. 134—
BY SENATOR TALBOT

AN ACT

To enact R.S. 22:1273, relative to presumption of insurance coverage; to provide a presumption of coverage for civil authority prohibited use regarding a catastrophic event; and to provide for related matters.

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

SENATE BILL NO. 147—
BY SENATOR MIZELL

AN ACT

To amend and reenact R.S. 40:1216.1(G) and to enact R.S. 40:1216.1(H), relative to procedures for victims of sex offenses; to require that healthcare providers make certain records available to sexual assault survivors; to provide relative to documents requested by the victim after a forensic medical examination has been performed; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 147 by Senator Mizell

AMENDMENT NO. 1

On page 1, delete lines 14 through 17, and on page 2, delete lines 1 through 6 and insert the following:

"G.(1) Upon request of a competent adult victim of a sexually-oriented criminal offense, the healthcare provider that performed the forensic medical exam shall provide a reproduction of any written documentation which is in the possession of the healthcare provider resulting from the forensic medical exam of the victim. The documentation shall be provided to the victim no later than fourteen days after the healthcare provider receives the request or the healthcare provider completes the documentation, whichever is later."

AMENDMENT NO. 2

On page 2, line 7, change "items" to "reproduction of written documentation"

AMENDMENT NO. 3

On page 2, line 8, after "released" delete "to" and insert "at the direction of" and after "victim" insert "who is a competent adult"

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

SENATE BILL NO. 195—
BY SENATOR HEWITT

AN ACT

To enact R.S. 37:936 and R.S. 40:2009.13.1, relative to safe harbor protections for nurses; to allow nurses to invoke safe harbor in certain circumstances; to provide for a procedure to invoke safe harbor; to require healthcare facilities to establish a safe harbor process; to prohibit certain actions against nurses who invoke safe harbor; and to provide for related matters.

Reported by substitute by the Committee on Health and Welfare. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. — (Substitute of Senate Bill No. 195 by Senator Hewitt)

BY SENATOR HEWITT

AN ACT

To enact R.S. 40:2003, relative to healthcare facility patient safety policies; to provide for legislative findings; to provide for healthcare facility patient safety policies; to provide for minimum content of the policies; to provide for a post-occurrence review; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:2003 is hereby enacted to read as follows:

§2003. Healthcare facility patient safety policies

A. The legislature finds and declares that ensuring patient safety is a critical part of delivering quality healthcare services. Patient safety includes not only implementing appropriate courses of action in treating a patient, but also educating and empowering licensed healthcare providers in the facility to express opinions and concerns regarding all aspects of the patient's experience in the facility.

B. Each healthcare facility licensed pursuant to R.S. 40:2006 shall adopt policies that promote national best practices on patient safety, support quality improvement initiatives, and empower licensed healthcare providers to take all appropriate steps to prevent a patient safety event.

C. The policies implemented pursuant to this Section shall include but not be limited to the rights and responsibilities of a licensed healthcare provider providing patient care in a licensed healthcare facility to protect the safety of a patient, to immediately intervene or escalate concerns through an identified chain of command, to prevent a patient safety event, and to mitigate subsequent patient harm. The policy shall include a process for post-occurrence review of the situation to determine whether additional action is required to minimize the likelihood of similar situations in the future.

D. A post-occurrence review may be conducted in conjunction with a patient safety organization and shall be considered a patient safety activity pursuant to the provisions of the Patient Safety and Quality Improvement Act of 2005, 42 U.S.C. 299b-21 et seq.

On motion of Senator Fred Mills, the committee substitute bill was adopted and becomes Senate Bill No. 496 by Senator Hewitt, substitute for Senate Bill No. 195 by Senator Hewitt.

SENATE BILL NO. 496— (Substitute of Senate Bill No. 195 by Senator Hewitt)

BY SENATOR HEWITT

AN ACT

To enact R.S. 40:2003, relative to healthcare facility patient safety policies; to provide for legislative findings; to provide for healthcare facility patient safety policies; to provide for minimum content of the policies; to provide for a post-occurrence review; and to provide for related matters.

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

SENATE BILL NO. 199—
BY SENATOR SMITH

A JOINT RESOLUTION

Proposing to add Article I, Section 10.2 of the Constitution of Louisiana, relative to elections; to provide for free and equal elections; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

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SENATE BILL NO. 213—

BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 40:2162(A)(3) and (7), (C)(3), (D)(1), (2)(c), (3)(b), and (H)(1) and to repeal R.S. 40:2162(C)(2)(c), relative to behavioral health rehabilitation services in the medical assistance program; to provide for community psychiatric support and treatment services; to provide for psychosocial rehabilitation services; to provide for licensure requirements of individuals providing services; to provide for technical updates of outdated provisions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 213 by Senator Luneau

AMENDMENT NO. 1

On page 2, line 19, after "building" insert "and supportive interventions"

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

SENATE BILL NO. 286—

BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 37:3556(1)(a), relative to massage therapists; to provide relative to licensure and qualifications of massage therapists; to provide for the methods of instruction; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 286 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 37:3556(1)(a)" to "R.S. 37:3552(5) through (12) and 3556(A)(1)(a) and to enact R.S. 37:3552(13) and (14)"

AMENDMENT NO. 2

On page 1, line 4, after "instruction;" insert "to provide for definitions;"

AMENDMENT NO. 3

On page 1, line 6, change "R.S. 37:3556(1)(a) is" to "R.S. 37:3552(5) through (12) and R.S. 37:3556(A)(1)(a) are" and after "reenacted" insert "and R.S. 37:3552(13) and (14) are hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 6 and 7, insert the following:
"\$3552. Definitions

* * *

(5) "In-person, in-class, instructor-supervised" means students physically attend class or clinical session at the approved school location with their instructor and other classmates.

(5) (6) "Lapsed license" means a board-issued license which has not been renewed for a period of more than two years and the holder of the license has not taken inactive status.

(6) (7) "Licensee" means any person or business that has a professional or establishment license issued by the board.

(7) (8) "Massage establishment" means any place of business that offers the practice of massage therapy and where the practice of massage therapy is conducted on the premises of the business. A place of business includes any office, clinic, facility, or other location where a person or persons engage in the practice of massage therapy. The residence of a therapist or an out call location which is not owned, rented, or leased by a massage therapist or massage establishment shall not be considered a massage establishment, unless the location is advertised as the therapist's or establishment's place of business. The term "massage establishment" shall not include physician offices, physical therapy facilities, chiropractic offices, or athletic training facilities, whether or not they employ, contract with, or rent to massage therapists, or institutions of secondary or higher education when massage therapy is practiced in connection with employment related to athletic teams.

(8) (9) "Massage therapist" means a person who engages in the practice of massage therapy for compensation.

(9) (10) "Person" means an individual, corporation, association, or other legal entity.

(10) (11) "Practice of massage therapy" means the manipulation of soft tissue for the purpose of maintaining good health and establishing and maintaining good physical condition. The practice of massage therapy shall include advertising or offering to engage in the practice of massage therapy and holding oneself out or designating oneself to the public as a massage therapist or massage establishment. The practice of massage therapy shall include effleurage (stroking), petrissage (kneading), tapotement (percussion), compression, vibration, friction (active/passive range of motion), stretching activities as they pertain to massage therapy, Shiatsu, acupressure, reflexology, trigger point massage, and Swedish massage either by hand, forearm, elbow, foot, or with mechanical appliances for the purpose of body massage. Massage therapy may include the use of lubricants such as salts, powders, liquids, creams with the exception of prescriptive or medicinal creams, heat lamps, hot and cold stones, whirlpool, hot and cold packs, salt glow, body wraps, steam cabinet baths, and, with appropriate training, the use of non-prescriptive, off-the-shelf commercially available electromechanical devices for which they are trained which mimic or enhance the actions possible by the hands. It shall not include ultrasound, laser therapy, microwave, colonic therapy, injection therapy, manipulation of the joints, the use of electrical muscle stimulation, or transcutaneous electrical nerve stimulation except microcurrent. Equivalent terms for massage therapy are massage, therapeutic massage, massage technology, body work, or any derivation of those terms. As used in this Chapter, the terms "therapy" and "therapeutic" shall not include diagnosis, the treatment of illness or disease, or any service or procedure for which a license to practice medicine, chiropractic, physical therapy, or podiatry is required by law.

(11) (12) "Professional Massage Therapy Association" means a statewide organization or statewide chapter of an organization which meets all of the following criteria:

(a) Either directly, or through the parent organization, qualifies as a tax exempt nonprofit organization under 26 U.S.C. 501(c)(6).

(b) Within Louisiana, offers a voting membership to licensed massage therapists who practice or reside in Louisiana and who maintain their voting membership in good standing.

(c) Within Louisiana, is administered by a governing body composed of officers democratically elected by the organization's voting membership within Louisiana.

(12) "Real-time synchronous distance learning" means students attend class session virtually at the same time as the instructor and other classmates.

(12) (14) "Writing" shall be a written communication transmitted either by United States mail or by electronic means such as e-mail.

* * *

AMENDMENT NO. 5

On page 1, line 15, change "instructor-supervised" to "synchronous instructor-supervised"

AMENDMENT NO. 6

On page 2, line 1, change "in-class" to "in-person, in-class, instructor-supervised"

AMENDMENT NO. 7

On page 2, delete lines 3 through 5, and insert the following: "(ii) Any remaining hours required beyond the minimum five hundred hours of massage therapy techniques and clinical practicum may be a combination of real-time synchronous distance learning and in-person, in-class, instructor-supervised hours as approved for each individual massage therapy program in the state of Louisiana through the Board of Regents.

(iii) The guidelines provided for in this Subparagraph shall apply to all hours of instruction above the five hundred hours minimum."

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

SENATE BILL NO. 352—

BY SENATOR FIELDS

AN ACT

To enact Part V-C of Chapter 9 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1240.1 through 1240.3, relative to public utilities; to provide relative to consumer credits; to provide rules, regulations, and procedures; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 352 by Senator Fields

AMENDMENT NO. 1

On page 1, line 17, change "electric or gas services" to "wireline telecommunication, cable, or wireline internet service"

AMENDMENT NO. 2

On page 2, at the end of line 1, delete "electric, water,"

AMENDMENT NO. 3

On page 2, delete line 2, and insert "wireline telecommunicaiton, cable, or wireline internet service within this state."

AMENDMENT NO. 4

On page 2, line 8, after "hours" insert "during a gubernatorially declared disaster or emergency"

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. 353—

BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 13:312(1)(b) and 312.1(A), relative to the Court of Appeal for the First Circuit; to provide for the organization of districts within the First Circuit; to provide election sections for the second district of the First Circuit; to provide for the assignment of judgeships for election purposes; to provide for the election of judges; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 353 by Senator Fields

AMENDMENT NO. 1

On page 3, line 13, delete "one judge, Division A" and insert "two judges, Division A and C"

AMENDMENT NO. 2

On page 3, at the end of line 14, after "one" delete ". The" and delete lines 15 and 16, and insert ", and two judges, Divisions B and D, shall be elected from election section two by the qualified electors of election section two."

AMENDMENT NO. 3

On page 4, line 3, change "two" to "one"

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

SENATE BILL NO. 442—

BY SENATORS WARD, ABRAHAM, CONNICK, HARRIS, HENRY AND MORRIS

AN ACT

To enact Chapter 62 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3221 through 3226, relative to an online marketplace; to provide for identification of certain sellers on an online marketplace; to require disclosure of certain information; to provide relative to certain consumer products offered for sale on an online marketplace; to provide for unfair or deceptive trade practices and acts; to provide for certain terms, requirements, conditions, and procedures; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 464—

BY SENATOR TALBOT

AN ACT

To enact R.S. 40:1081.12, relative to Medicaid coverage for genetic testing of critically ill infants; to provide for coverage for rapid whole genome sequencing testing of certain infants; to provide for the duties of the secretary of the Louisiana Department of Health; and to provide for related matters.

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

SENATE BILL NO. 478—

BY SENATOR BERNARD

AN ACT

To amend and reenact R.S. 44:1(A)(2)(a), 32(A), (C)(1)(a), and (D), 35(E)(2), and 37, relative to public records; to provide for the scope of records requests; to provide for response time; to provide for liability of custodians of records; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 478 by Senator Bernard

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AMENDMENT NO. 1

On page 1, line 2, after "32(A)," delete "(C)(1)(a)," and insert "(C)(1)(a),"

AMENDMENT NO. 2

On page 1, line 16, after "including" insert: "electronically stored information or"

AMENDMENT NO. 3

On page 3, delete lines 1 through 4 and insert:

"(2) If the custodian reasonably determines that the request would substantially disrupt required government operations, the custodian may deny access only after reasonable attempts to narrow or specify the request with the requestor."

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

SENATE BILL NO. 484—

BY SENATOR LUNEAU

AN ACT

To amend and reenact R.S. 22:868(D), relative to insurers; to provide relative to insurance contracts; to provide relative to limiting of actions; to provide certain prohibitions; to provide relative to jurisdiction and venue; authorizes a commercial insurer to select a forum or venue in a policy form; and to provide for related matters.

Reported favorably by the Committee on Insurance. The 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. 529—

BY REPRESENTATIVE BROWN

AN ACT

To amend and reenact R.S. 22:3, 1921(A), (C), and (D), 1922(A), 1926, 1928(A)(introductory paragraph), 1929(A), 2132(G)(2), 2161(J), 2171(L), R.S. 36:681(C), 683, 687, 689, and 691.1, to enact R.S. 36:681(D), 686(C)(3) and (4), and 694.1, and to repeal R.S. 36:686(D) and (E), relative to the organization of the Department of Insurance; to provide for the offices within and officers for the department; to provide for the administration of certain commissions within the department; to provide for the chief deputy commissioner of the department; to create the office of policy, innovation, and research; to provide the duties and functions of the office and the deputy commissioner of policy, innovation, and research; to make technical changes; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 866—

BY REPRESENTATIVE FRIEMAN

AN ACT

To amend and reenact R.S. 22:165(B) and to enact R.S. 22:81(D), 82(D) and (E), 111(D), 112(D) and (E), and 165(C), relative to capital and surplus requirements for certain domestic insurers; to provide for minimum requirements for domestic insurers writing homeowners' insurance and fire and allied lines insurance; and to provide for related matters.

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

Senate Resolutions on Second Reading Reported by Committees

SENATE RESOLUTION NO. 38—

BY SENATOR TALBOT

A RESOLUTION

To urge and request the Louisiana Department of Health to study programs implemented in other states or through Medicaid waiver programs to evaluate options for delaying institutionalization for frail elders.

Reported favorably by the Committee on Health and Welfare.

The resolution 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. 28—

BY SENATORS FOIL, BARROW, BOUDREAUX, CARTER, HENSGENS, LUNEAU AND FRED MILLS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health and Louisiana commercial health insurance payors to increase reimbursement rates for autism therapy services.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 28 by Senator Foil

AMENDMENT NO. 1

On page 2, line 9, change "2010" to "2014"

On motion of Senator Fred Mills, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields, and Name. Lists names of senators and their corresponding fields.

Total - 35

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, and Name. Lists names of senators who are absent.

Total - 3

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

Rules Suspended

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

Senate Concurrent Resolutions on Second Reading, Subject to Call

Called from the Calendar

Senator Talbot asked that Senate Resolution No. 38 be called from the Calendar.

SENATE RESOLUTION NO. 38— BY SENATOR TALBOT

A RESOLUTION

To urge and request the Louisiana Department of Health to study programs implemented in other states or through Medicaid waiver programs to evaluate options for delaying institutionalization for frail elders.

The resolution was read by title. On motion of Senator Talbot, the Senate Resolution was adopted.

Bagneris Rule

Senator Mizell moved to invoke the rule to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 311— BY SENATOR MILLIGAN

AN ACT

To enact R.S. 29:726(E)(30) and (31), relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for authority and responsibilities; to provide for promulgation of rules; to provide for an annual emergency preparedness class; to provide for disbursement of assets and diversion of resources during an emergency; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for Senate Bill No. 311, including Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, and Cloud.

Table listing names of senators who voted 'NAYS' for Senate Bill No. 311: Connick Fesi, Mills, F. Mills, R., and White Womack.

Total - 36

NAYS

Total - 0

ABSENT

Table listing names of senators who voted 'ABSENT' for Senate Bill No. 311: Harris and Tarver.

Total - 2

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

SENATE BILL NO. 320— BY SENATOR HENRY

AN ACT

To enact R.S. 27:244(D), relative to the casino operating contract; to temporarily suspend the requirement of certain provisions; to clarify that certain activities are not suspended; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' for Senate Bill No. 320, including Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick Fesi, Fields, Foil, Henry, Hensgens, Hewitt, Jackson, Lambert, Luneau, McMath, Milligan, Mills, F. Mills, R., Mizell, Morris, Peacock, Pope, Price, Reese, Smith, Stine, Talbot, Ward, and White.

Total - 35

NAYS

Table listing names of senators who voted 'ABSENT' for Senate Bill No. 320: Womack.

Total - 1

ABSENT

Table listing names of senators who voted 'ABSENT' for Senate Bill No. 320: Harris and Tarver.

Total - 2

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

SENATE BILL NO. 335— BY SENATORS JACKSON, BARROW, BOUDREAUX, BOUIE, CATHEY, CLOUD, CONNICK, FESI, FIELDS, HENSGENS, MILLIGAN, ROBERT MILLS, MIZELL, POPE, SMITH, STINE, WARD AND WHITE

AN ACT

To amend and reenact R.S. 14:34(B), 34.1(C), 34.5(B)(2), 35(B), 37(B), and 38(B) and R.S. 15:901(C), and to enact Children's Code Art. 857(A)(9) through (14), and to repeal R.S. 14:44.1(A)(6) and (B)(4), relative to battery or assault committed by juveniles; to provide relative to transfers for criminal prosecution in juvenile court; to provide additional offenses for which a juvenile may be prosecuted as an adult; to enhance penalties for certain battery and assault offenses committed by a juvenile under certain circumstances; to provide relative to enhanced penalties for aggravated escape and simple

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escape; to provide relative to commitment of juveniles; to provide for effectiveness; 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. 335 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 2, change "and 38(B)" to "38(B), and 110"

AMENDMENT NO. 2

On page 3, line 12, change "and 38(B)" to "38(B), and 110"

On motion of Senator Fred Mills, 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

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

Total - 34

NAYS

Total - 0

ABSENT

Abraham Harris Tarver White

Total - 4

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. 337—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 14:98.8(C), relative to driving offenses; to provide relative to operating a vehicle while under suspension for certain prior offenses; to provide enhanced penalties for operating a vehicle while under suspension for a third or subsequent offense of operating while intoxicated; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Total - 0

ABSENT

Abraham Foil Harris Jackson Tarver

Total - 5

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

SENATE BILL NO. 431—

BY SENATOR ROBERT MILLS

AN ACT

To amend and reenact R.S. 4:228(F), relative to horse racing; to provide for offtrack wagering facility locations; to provide for prohibitions; to provide for exceptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 33

NAYS

Womack Total - 1

ABSENT

Harris Jackson Tarver Ward

Total - 4

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

SENATE BILL NO. 449— BY SENATOR LUNEAU

AN ACT

To enact R.S. 18:1300.26, relative to video draw poker devices; to authorize the governing authority of Natchitoches Parish to call and conduct a referendum election on a proposition to allow the operation of video draw poker devices in the parish; to provide for procedures for the calling and holding of the election; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Abraham, Allain, Bernard, Boudreaux, Bouie, Carter, Cathey, Connick, Fesi, Fields, Total - 31.

NAYS

Table with 3 columns: Name, Yeas, Nays. Includes Cloud, Mizell, Womack, Total - 3.

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Barrow, Jackson, Harris, Tarver, Total - 4.

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

SENATE BILL NO. 471—

BY SENATOR MILLIGAN AND REPRESENTATIVE MIKE JOHNSON AN ACT

To enact R.S. 38:2191.1, relative to public contracts; to provide for foreign sources of funds for gifts and contracts involving state agencies and political subdivisions; to provide for reporting of sources of monies used as gifts or grants or in contracts involving state agencies and political subdivisions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Abraham, Allain, Barrow, Foil, Henry, Hensgens, Hewitt, Peacock, Pope, Price, Reese.

Table with 3 columns: Name, Yeas, Nays. Includes Bernard, Boudreaux, Bouie, Carter, Cloud, Connick, Fesi, Fields, Lambert, Luneau, McMath, Milligan, Mills, F., Mills, R., Mizell, Morris, Smith, Stine, Talbot, Ward, White, Womack.

Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Cathey, Harris, Jackson, Tarver, Total - 4.

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

SENATE BILL NO. 495— (Substitute for Senate Bill No. 390 by Senator White)

BY SENATOR WHITE

AN ACT

To enact R.S. 47:633.1, relative to the creation of the oilfield site restoration incentive rebate program; to provide for contracts for the payment of rebates costs of plugging and abandoning and site restoration for certain oil wells; to provide for procedures and requirements for rebate contracts; to provide for payment of the rebates; and to provide for related matters.

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

Bagneris Rule

Senator Mizell moved to invoke the rule to temporarily pass over controversial Senate Bills on Third Reading and Final Passage, subject to call, with the intention of taking them up later, in their regular order.

Without objection, so ordered.

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

Called from the Calendar

Senator Carter asked that Senate Bill No. 324 be called from the Calendar.

SENATE BILL NO. 324—

BY SENATOR CARTER

AN ACT

To amend and reenact R.S. 37:761(A)(4) and (C) and 764(A)(2) and (5) and (D) and to repeal R.S. 37:761(D) and 764(E), relative to qualifications for licensure by the Louisiana State Board of Dentistry; to provide for licensing examinations for dentists; to provide for citizenship requirements for dental hygienists; to provide for licensing examinations for dental hygienists; and to provide for related matters.

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

April 21, 2022

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Henry, Peacock, Abraham, Hensgens, Pope, Barrow, Hewitt, Price, Bernard, Lambert, Reese, Boudreaux, Luneau, Smith, Bouie, McMath, Stine, Carter, Milligan, Talbot, Connick, Mills, F., Ward, Fesi, Mills, R., White, Fields, Mizell, Womack, Foil, Morris. Total - 32

NAYS

Total - 0

ABSENT

Table with 3 columns: Allain, Cloud, Jackson, Cathey, Harris, Tarver. Total - 6

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

Called from the Calendar

Senator Carter asked that Senate Bill No. 349 be called from the Calendar.

SENATE BILL NO. 349— BY SENATOR CARTER

AN ACT

To amend and reenact R.S. 37:753(C)(1)(a) and (E) and to repeal R.S. 37:753(C)(1)(c) and (K), relative to the membership of Louisiana State Board of Dentistry; to provide for terms of service; to provide for term limits; to provide for the filling of vacancies; to repeal outdated provisions; to provide for the terms of members currently serving partial terms; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Morris, Abraham, Foil, Peacock, Allain, Henry, Pope, Barrow, Hensgens, Price, Bernard, Hewitt, Reese, Boudreaux, Lambert, Smith, Bouie, Luneau, Stine, Carter, McMath, Talbot, Cathey, Milligan, Ward, Cloud, Mills, F., White, Connick, Mills, R., Womack, Fesi, Mizell. Total - 34

NAYS

Total - 0

ABSENT

Table with 2 columns: Harris, Tarver, Jackson, Womack. Total - 4

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

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 21, 2022

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 32— BY SENATORS CORTEZ AND BOUDREAUX A CONCURRENT RESOLUTION

To commend Donna Lemaire on the occasion of her retirement.

Respectfully submitted, SHARON W. HEWITT Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Mr. President, Fields, Mizell, Abraham, Foil, Morris, Allain, Henry, Peacock, Barrow, Hensgens, Price, Bernard, Hewitt, Reese, Boudreaux, Jackson, Smith, Bouie, Lambert, Stine, Carter, Luneau, Talbot, Cathey, McMath, Ward, Cloud, Milligan, White, Connick, Mills, F., Womack, Fesi, Mills, R. Total - 36

ABSENT

Table with 2 columns: Harris, Tarver. Total - 2

Leaves of Absence

The following leaves of absence were asked for and granted:

Table with 4 columns: Harris, 1 Day, Tarver, 1 Day

Announcements

The following committee meetings for April 25, 2022, were announced:

Finance	9:00 A.M.	Room A
Retirement	10:30 A.M.	Room E
Revenue and Fiscal Affairs	1:00 P.M.	Hainkel Room

Adjournment

On motion of Senator Talbot, at 10:44 o'clock A.M. the Senate adjourned until Monday, April 25, 2022, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

FRAN OGNIBENE
Journal Clerk

