

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

FIFTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 5, 2018

The Senate was called to order at 9:15 o'clock A.M. by Hon. John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Gatti	Peacock
Allain	Hewitt	Peterson
Boudreaux	Johns	Price
Carter	Lambert	Riser
Chabert	Long	Smith, J.
Claitor	Martiny	Walsworth
Cortez	Mizell	White
Donahue	Morrell	
Fannin	Morrish	
Total - 25		

ABSENT

Appel	LaFleur	Smith, G.
Barrow	Luneau	Tarver
Bishop	Milkovich	Thompson
Colomb	Mills	Ward
Erdey	Perry	
Total - 14		

The President of the Senate announced there were 25 Senators present and a quorum.

Prayer

The prayer was offered by Chaplain Robert Ryals Jr., following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Price, the reading of the Journal was dispensed with and the Journal of April 4, 2018, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 4, 2018

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 58—
BY SENATORS ALARIO AND PEACOCK
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the passing of Paul Tudor Gallagher and to note his many contributions made on the behalf of this body.

Reported without amendments.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 59—
BY SENATOR LONG
A CONCURRENT RESOLUTION

To commend John Leigh "Jay" Dardenne Jr. upon his induction into the Louisiana Political Museum and Hall of Fame.

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

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

**SENATE BILL NO. 558— (Substitute of Senate Bill No. 374 by
Senator Barrow)**

BY SENATOR BARROW

AN ACT

To enact R.S. 15:892.1, relative to correctional facilities; to provide relative to women in correctional facilities; to provide relative to certain healthcare products for incarcerated females; to provide relative to sex-appropriate correctional officers; to provide for definitions; to provide for applicability; and to provide for related matters.

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

**SENATE BILL NO. 559— (Substitute of Senate Bill No. 468 by
Senator Morrish)**

BY SENATORS MORRISH AND JOHNS

AN ACT

To amend and reenact R.S. 4:707(D) and (F)(3) and to enact R.S. 4:707(E)(6), relative to charitable raffles, bingo, and keno; to provide for licensure; to provide for a license to conduct raffles; to authorize public institutions of higher education to conduct raffles under certain circumstances; and to provide for related matters.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 68—
BY SENATOR BARROW

A RESOLUTION

To commend the Mary Bird Perkins Cancer Center on hosting its eleventh annual "Fest for Life" health event on Saturday, April 14, 2018.

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

SENATE RESOLUTION NO. 69—
BY SENATOR THOMPSON

A RESOLUTION

To commend the Delhi High School Bears boys basketball team upon being the Class 1A runner-up at the 2018 Allstate Sugar Bowl/LHSAA Tournament.

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

April 5, 2018

SENATE RESOLUTION NO. 70—

BY SENATOR THOMPSON

A RESOLUTION

To commend the Delhi High School Lady Bears basketball team upon winning the Class 1A State Championship at the 2018 Allstate Sugar Bowl/LHSAA Tournament.

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

SENATE RESOLUTION NO. 71—

BY SENATOR PERRY

A RESOLUTION

To commend the American Legion and its Auxiliary for hosting the fifty-fifth annual Vermilion Parish Government Day program.

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

SENATE RESOLUTION NO. 73—

BY SENATOR RISER

A RESOLUTION

To urge and request the Department of Economic Development to encourage further economic ties between the state of Louisiana and the Republic of China, also known as Taiwan.

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

SENATE RESOLUTION NO. 74—

BY SENATORS PERRY AND CORTEZ

A RESOLUTION

To commend the St. Thomas More Catholic High School Lady Cougars soccer team on winning the Louisiana High School Athletic High School Division II state championship.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 57—

BY SENATOR MILLS

A CONCURRENT RESOLUTION

To designate July 2018 as "Shingles Awareness and Improvement Month" in Louisiana to increase public awareness of the importance of adults receiving vaccines against shingles, and to promote outreach and education efforts concerning adult vaccines.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Gatti Peacock
Allain Hewitt Peterson
Bishop Johns Price
Boudreaux LaFleur Riser
Carter Lambert Smith, J.
Claitor Martiny Tarver
Cortez Milkovich Thompson
Donahue Mizell Walsworth
Erdey Morrell White
Fannin Morrish
Total - 29

NAYS

Total - 0

ABSENT

Appel Long Smith, G.
Barrow Luneau Ward
Chabert Mills
Colomb Perry
Total - 10

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

April 4, 2018

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. 4 HB No. 16 HB No. 130
HB No. 158 HB No. 184 HB No. 281
HB No. 284 HB No. 318 HB No. 466
HB No. 489 HB No. 502 HB No. 509
HB No. 521 HB No. 573 HB No. 598
HB No. 634 HB No. 648 HB No. 335
HB No. 373 HB No. 378 HB No. 374
HB No. 296

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 4—

BY REPRESENTATIVE BISHOP

AN ACT

To amend and reenact R.S. 56:10(B)(1)(g) and 302.1(C)(1)(c), relative to saltwater fishing licenses; to extend the applicability of an additional fee for purchase of a saltwater fishing license; 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. 16—

BY REPRESENTATIVES DANAHAY AND DWIGHT

AN ACT

To amend and reenact Code of Civil Procedure Article 1392, relative to proof of statutes; to provide for the taking of judicial notice of statutes; and to provide for related matters.

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

HOUSE BILL NO. 130—

BY REPRESENTATIVE SCHEXNAYDER
AN ACT

To amend and reenact R.S. 56:109.1, relative to use of vehicles on wildlife management areas; to provide for the operation of airboats; to provide for the establishment of airboat trails; to provide for requirements; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 158—

BY REPRESENTATIVE FOIL AND SENATOR CLAITOR
AN ACT

To amend and reenact R.S. 28:53(B)(1) and (G)(8) and 63(A)(1) and (B), relative to admissions to treatment facilities by emergency certificate; to provide relative to transfers between parishes; to provide relative to duties of physicians and coroners; to provide for standard of care; and to provide for related matters.

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

HOUSE BILL NO. 184—

BY REPRESENTATIVE LEGER
AN ACT

To amend and reenact Code of Criminal Procedure Article 887(C), relative to operating a vehicle while intoxicated; to provide relative to special costs assessed for convictions of operating a vehicle while intoxicated; and to provide for related matters.

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

HOUSE BILL NO. 281—

BY REPRESENTATIVES TALBOT, AMEDEE, ANDERS, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BOUIE, BRASS, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, COUSSAN, COX, DAVIS, EDMONDS, FOIL, GAROFALO, GISCLAIR, GLOVER, GUINN, HALL, JIMMY HARRIS, LANCE HARRIS, HILFERTY, HODGES, HOLLIS, HORTON, HUNTER, IVEY, JACKSON, JEFFERSON, JONES, NANCY LANDRY, LYONS, MIGUEZ, GREGORY MILLER, MORENO, JAY MORRIS, JIM MORRIS, NORTON, PIERRE, PYLANT, REYNOLDS, SCHEXNAYDER, SHADOIN, SMITH, STAGNI, STOKES, THIBAUT, THOMAS, WHITE, WRIGHT, AND ZERINGUE
AN ACT

To enact Part VII of Subchapter B of Chapter 5-D of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1193.1 through 1193.9, and R.S. 40:2010.8(A)(24), relative to rights of nursing home residents; to authorize a nursing home resident or a surrogate to have a monitoring device installed in the room of the resident; to establish conditions for the installation and use of monitoring devices in nursing homes; to provide for consent relative to the installation and use of such devices; to provide limitations on the use of such devices; to require nursing homes to make certain accommodations relative to such devices; to limit liability in cases in which a monitoring device is installed without proper authorization or used improperly; to prohibit certain conduct by nursing homes; to establish penalties; to provide for administrative rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 284—

BY REPRESENTATIVES SMITH, BAGNERIS, BILLIOT, BOUIE, BRASS, GARY CARTER, ROBBY CARTER, COX, FRANKLIN, GISCLAIR, GLOVER, HALL, HILFERTY, HUNTER, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, JORDAN, NANCY LANDRY, TERRY LANDRY, LEGER, LYONS, MARCELLE, DUSTIN MILLER, MORENO, NORTON, PIERRE, STAGNI, AND STOKES
AN ACT

To enact R.S. 17:192(C), 192.2, and 3996(B)(45) and to repeal R.S. 17:192.1, relative to school nutrition programs; to revise procedures relative to a student's inability to pay for school meals and a student's meal debt; to require notification to a

parent relative to the amount of debt; to require the state Department of Education to provide notification to certain schools and districts and assistance upon request relative to certain federal nutrition options; and to provide for related matters.

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

HOUSE BILL NO. 296—

BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 40:16.3(C)(1), relative to the John J. Hainkel, Jr., Home and Rehabilitation Center; to provide relative to services of the facility; to provide relative to the terms and conditions of the lease document by which the facility is leased; 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 CONNICK
AN ACT

To amend and reenact R.S. 13:1894.1(A) and R.S. 14:98(C)(1)(e) and (3), relative to the crime of operating a vehicle while intoxicated; to provide relative to the determination of the existence of prior convictions for operating a vehicle while intoxicated; to remove exceptions for certain New Orleans courts; and to provide for related matters.

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

HOUSE BILL NO. 335—

BY REPRESENTATIVE GARY CARTER
AN ACT

To amend and reenact R.S. 36:744(D) and to enact Chapter 6 of Title 44 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 44:501 through 503, relative to the Louisiana Historical Records Advisory Board; to provide for the membership of the board; to provide for the duties of the board; to provide relative to the state historical records coordinator and the deputy state historical records coordinator; and to provide for related matters.

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

HOUSE BILL NO. 373—

BY REPRESENTATIVE JOHNSON
AN ACT

To amend and reenact R.S. 49:964(A)(2) and 992(B)(3), relative to administrative procedure; to provide relative to judicial review of administrative decisions; to authorize the Department of Children and Family Services to seek judicial review of certain decisions by the division of administrative law; 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 ABRAMSON
AN ACT

To require the Board of Tax Appeals to tax costs for deposits and filing fees related to appeals for certain claims for the solar energy system tax credit; to designate those claims which qualify for payment of costs; to provide for an effective date; to provide for related matters.

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

April 5, 2018

HOUSE BILL NO. 378—
BY REPRESENTATIVE SHADOIN
AN ACT

To enact R.S. 49:191(10)(c) and to repeal R.S. 49:191(8)(c), relative to the Department of State, including provisions to provide for the re-creation of the Department of State 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; and to provide for related matters.

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

HOUSE BILL NO. 466—
BY REPRESENTATIVE GISCLAIR
AN ACT

To amend and reenact Children's Code Articles 424.2, 424.4(B), and 616(C) and (D), relative to court appointed special advocates; to provide authority to access the child's home; to provide relative to the attendance of certain hearings and meetings; to provide for screenings of CASA volunteers, staff members, and board of director members; to provide for contingent effective dates; and to provide for related matters.

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

HOUSE BILL NO. 489—
BY REPRESENTATIVE CARMODY
AN ACT

To enact R.S. 32:808(C) and R.S. 47:1508(B)(42), relative to reporting requirements imposed on the Louisiana Used Motor Vehicle Commission; to require reporting of certain information regarding salvage pools and salvage disposal sales; to authorize the sharing of 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. 502—
BY REPRESENTATIVE ZERINGUE
AN ACT

To amend and reenact R.S. 4:83 and to enact R.S. 4:61(G) and 65(A)(4), relative to the regulation of professional wrestling; to provide for professional wrestling bond exception; to provide for certain requirements and exemptions; and to provide for related matters.

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

HOUSE BILL NO. 509—
BY REPRESENTATIVE GARY CARTER
AN ACT

To amend and reenact R.S. 17:10.1(F)(3) and to enact R.S. 17:10.1(H), relative to school and district accountability; to provide relative to graduation rate criteria for recognition of certain high-performing schools; to require school system to present plans relative to schools in need of academic improvement; to provide relative to plan components and annual updates; to require the state Department of Education to publish a list of schools with such plans; and to provide for related matters.

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

HOUSE BILL NO. 521—
BY REPRESENTATIVE HENRY
AN ACT

To enact R.S. 35:416, relative to ex officio notaries for coroners; to provide for the qualifications, appointment, and authority of ex officio notaries for coroners; to provide for bond requirements; to provide for limitations and termination of the authority of ex officio notaries; and to provide for related matters.

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

HOUSE BILL NO. 573—
BY REPRESENTATIVE ZERINGUE
AN ACT

To enact Part XI of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2320.1, relative to contracting for integrated coastal protection projects; to authorize political subdivisions to use outcome-based performance contracts for integrated coastal protection projects; and to provide for related matters.

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

HOUSE BILL NO. 598—
BY REPRESENTATIVE HAVARD
AN ACT

To enact R.S. 47:2138, to provide with respect to ad valorem tax; to authorize a local taxing authority to enter into certain agreements concerning payment of ad valorem taxes; to require notification of the Board of Commerce and Industry of advance tax payment agreements; to establish requirements for the agreements and taxpayers who may participate in agreements; to provide for the use of monies paid under an agreement; to authorize a local taxing authority to issue ad valorem tax credits under certain circumstances; to provide with respect to the application of certain tax credits; to authorize the payment of interest; 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. 634—
BY REPRESENTATIVES HUNTER, CHAD BROWN, CARMODY, COX, GLOVER, HOLLIS, JEFFERSON, LYONS, MORENO, REYNOLDS, AND THOMAS
AN ACT

To enact Chapter 2-A of Title 21 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 21:61, relative to short-term rental structures; to define key terms; to prohibit the use of a camera unless notice is provided; and to provide for related matters.

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

HOUSE BILL NO. 648—
BY REPRESENTATIVE LEGER
AN ACT

To enact Part XI of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2320.1, relative to the purchase of port-related specialized cranes and replacement parts; to authorize all port commissions and port, harbor, and terminal districts to purchase specialized cranes and replacement parts through methods of procurement; to establish requirements for requests for qualifications and requests for proposals; to provide for definitions; to provide for an effective date; and to provide for related matters.

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

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

HOUSE BILL NO. 87—
BY REPRESENTATIVE JAMES
AN ACT

To amend and reenact R.S. 17:3092(5), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to

broaden the definition of institution of postsecondary education for program purposes; to include certain out-of-state proprietary schools in such definition; 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. 140—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 15:571.21(B), 574.4.2(A)(2)(e) and (F), and 574.4.5(B) and Code of Criminal Procedure Article 895.1(C), relative to probation and parole; to provide relative to the supervision fees paid by offenders placed on probation or parole; to provide relative to the fee assessed by the division of probation and parole for collection of certain monetary assessments imposed as a condition of probation or parole; to provide relative to the processing fee for each case file opened by a probation and parole officer; to provide relative to the use of such fees; 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. 145—

BY REPRESENTATIVE COX

AN ACT

To enact R.S. 37:1745.2 and Children's Code Article 606(C), relative to the diagnosing of certain mental health conditions; to provide limitations on the diagnosing of factitious disorder imposed on another; to provide relative to child in need of care proceedings; to provide limitations on the initiation of such proceedings; 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. 147—

BY REPRESENTATIVE DWIGHT

AN ACT

To amend and reenact R.S. 40:34.2(2)(a)(introductory paragraph), 34.5(A), and 46.4(A), to enact Civil Code Article 190.1 and R.S. 40:34.5.1 and 34.5.2, and to repeal R.S. 40:46.9, relative to filiation; to provide for presumptions of paternity; to provide for the acknowledgment of a child; to provide relative to the birth certificate of the child; to provide for a three-party acknowledgment of paternity; to provide for DNA testing; to provide for the creation of a form; 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. 166—

BY REPRESENTATIVE MACK

AN ACT

To amend and reenact R.S. 15:584, relative to criminal history record information; to provide relative to the interstate exchange of criminal history record information for noncriminal justice purposes; to adopt and ratify the National Crime Prevention and Privacy Compact; to provide relative to the duties and authority of the Louisiana Bureau of Criminal Identification and Information in this regard; to provide relative to the effectiveness of the National Crime Prevention and Privacy Compact in Louisiana; 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. 186—

BY REPRESENTATIVES MARINO AND BACALA

AN ACT

To amend and reenact R.S. 40:979, relative to the attempt or conspiracy to commit violations of the Uniform Controlled Dangerous Substances Law; to provide relative to the penalties imposed for the attempt or conspiracy to distribute or possess

with intent to distribute certain Schedule I controlled dangerous substances; 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. 194—

BY REPRESENTATIVE HOWARD

AN ACT

To amend and reenact R.S. 22:1834(C) and 1838(F) and to enact R.S. 22:1838(G), relative to recoupment of health insurance claims payments; to prohibit recoupments after the expiration of eighteen months from the date the initial claim was paid; 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 Insurance.

HOUSE BILL NO. 224—

BY REPRESENTATIVE MARINO

AN ACT

To amend and reenact R.S. 40:1060.13 and 1060.15(B), relative to criminal offenses involving legend drugs; to reduce criminal penalties for certain offenses involving legend drugs; 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. 260—

BY REPRESENTATIVE LEGER

AN ACT

To enact R.S. 15:603(10)(r), (s), and (t), relative to DNA detection of sexual and violent offenders; to provide for the collection of DNA samples from certain offenders; to provide for certain crimes requiring the collection of DNA samples; 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. 308—

BY REPRESENTATIVE HAVARD AND SENATOR CORTEZ

AN ACT

To amend and reenact R.S. 32:81(B) and (C) and to enact R.S. 32:1(95) and 81(D), (E), and (F), relative to vehicle platooning; to authorize non-lead motor vehicles in a platoon to follow other motor vehicles in a platoon closely; to exempt non-lead motor vehicles in a platoon from operating such vehicle in a manner that allows sufficient space to enable any other vehicle to enter and occupy the space between any motor vehicle in a platoon; to authorize platoon operation upon approval of an operational plan by the Department of Public Safety and Corrections and the Department of Transportation and Development; to provide for rulemaking authority; to provide for a prohibition against platoon operation; 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 Transportation, Highways and Public Works.

HOUSE BILL NO. 419—

BY REPRESENTATIVE EDMONDS

AN ACT

To amend and reenact R.S. 40:1646(A) and (B) and to enact R.S. 40:1646(E), relative to life safety systems and equipment; to authorize certifications relative to such systems and equipment; to provide for designated representatives; to provide for compliance; to provide penalties for violations; 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.

April 5, 2018

HOUSE BILL NO. 455—
BY REPRESENTATIVES GAROFALO, CARMODY, AND MORENO
AN ACT

To amend and reenact R.S. 40:1573(3) and (4) and to enact R.S. 40:1573(5) and 1580.2, relative to short-term rental dwellings; to provide for definitions; to provide with respect to responsibilities of the state fire marshal and owners of short-term rental dwellings; to authorize certain investigations and inspections; to provide for certain exceptions and prohibitions; to provide for applicable fees and penalties; to authorize the adoption of administrative rules and regulations; to provide for the deposit of proceeds from fees and penalties collected into a certain state trust fund; 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 Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 490—
BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 46:236.1.1(9), (10), (11), (12), (13), and (14) and 236.1.2(L) and to enact R.S. 46:236.1.1(15) and (16), relative to support; to provide definitions; to provide relative to health insurance; to provide for medical support; 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. 532—
BY REPRESENTATIVE MACK
AN ACT

To amend and reenact R.S. 51:650(introductory paragraph), (10), and (13), 651.1(D), 652(A) and (B), 655, and 656(A), (B), (C)(1)(f), and (E) and to enact R.S. 51:650(14) through (31) and 651.1(E) through (G), relative to the regulation of fireworks; to provide for definitions; to provide relative to unlawful sales and use; to provide for certain fireworks displays; to provide for licenses and permits; to authorize the promulgation and adoption of administrative rules; to direct the Louisiana State Law Institute to arrange in alphabetical order and renumber certain definitions; 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. 617—
BY REPRESENTATIVE HILFERTY
AN ACT

To amend and reenact R.S. 9:3196(introductory paragraph) and (1)(c), 3197(A) and (B)(7), and 3198(A)(2)(b) and (c) and (E)(1); relative to the transfer of residential real property and property disclosure forms; to provide relative to definitions; to provide relative to instances in which a seller is not liable; to provide for technical changes; 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. 735— (Substitute for House Bill No. 364 by Representative Jackson)
BY REPRESENTATIVES JACKSON AND PIERRE
AN ACT

To enact Part III of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:351 through 356, relative to public assistance programs; to establish a workforce training pilot initiative to serve public assistance recipients in certain regions; to provide for interagency collaboration in administering the pilot initiative; to provide for duties of the executive director of the Louisiana Workforce Commission, the secretary of the Department of Children and Family Services, the secretary of the Louisiana Department of Health, the state superintendent of education, and the president of the Louisiana

Community and Technical College System with respect to the pilot initiative; to provide for administrative rulemaking; 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 Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 30—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To commend adoptee and LSU Paul M. Hebert Law Center student David Scotton and his family upon the release of the documentary film I Lived on Parker Avenue.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hewitt	Peterson
Allain	Johns	Price
Boudreaux	LaFleur	Riser
Carter	Lambert	Smith, J.
Chabert	Long	Tarver
Claitor	Martiny	Thompson
Cortez	Milkovich	Walsworth
Donahue	Mills	Ward
Erdey	Mizell	White
Fannin	Morrish	
Gatti	Peacock	

Total - 31

NAYS

Total - 0

ABSENT

Appel	Colomb	Perry
Barrow	Luneau	Smith, G.
Bishop	Morrell	

Total - 8

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. 62—
BY SENATOR MARTINY
AN ACT

To enact R.S. 49:191(10)(c) and to repeal R.S. 49:191(8)(j), relative to certain agencies within the office of the governor, including provisions to provide for the re-creation of such agencies; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

SENATE BILL NO. 66—
BY SENATOR CLAITOR

AN ACT

To amend and reenact the introductory paragraph of R.S. 28:53(G)(8), relative to emergency certificates; to provide for admission procedures to treatment facilities; to provide for applicability to all parishes except St. Tammany; and to provide for related matters.

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

SENATE BILL NO. 74—
BY SENATOR GATTI

AN ACT

To enact R.S. 40:1472.3(F), relative to licensing a manufacturer, dealer-distributor, user, blaster, or handler of explosives; to provide for the requirement of liability insurance as a condition for obtaining a license; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 74 by Senator Gatti

AMENDMENT NO. 1

On page 2, at the end of line 2, insert the following:

"Nothing in this Subsection shall apply to a federal military installation located in this state."

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

SENATE BILL NO. 108—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 40:1253.2(A)(1)(h), relative to the Medicaid managed care annual report; to provide for report data; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 127—
BY SENATORS HEWITT AND WALSWORTH

AN ACT

To amend and reenact R.S. 9:3571.1(W), relative to credit reporting agencies; to provide relative to charges upon consumers for information and reports; to provide certain exceptions to charges for a security freeze on a consumer file; to provide certain procedures and requirements; 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. 127 by Senator Hewitt

AMENDMENT NO. 1

On page 1, delete line 4 and insert "prohibitions upon certain charges to consumers; to provide certain"

AMENDMENT NO. 2

On page 1, line 13, after "W." delete the remainder of the line and lines 14 through 17 and on page 2, delete lines 1 through 13, and insert "A credit reporting agency may impose a reasonable charge on

a consumer for initially placing a security freeze on a consumer file. The amount of the charge may not exceed ten dollars. The charge to temporarily lift the security freeze may not exceed eight dollars per request. At no time shall the consumer be charged for **placing or reinstating a security freeze, or for temporarily lifting or** revoking the freeze. On January first of each year, a credit reporting agency may increase the charge for placing a security alert based proportionally on changes to the Consumer Price Index of All Urban Consumers as determined by the United States Department of Labor with fractional changes rounded to the nearest twenty-five cents. An exception shall be allowed whereby the consumer will be charged zero dollars by the consumer reporting agency placing the security freeze if any of the following applies:

(1) If the consumer is a victim of identity theft and, upon the request of the consumer reporting agency, provides the credit reporting agency with a police report described in R.S. 9:3568.

(2) If the consumer is sixty-two years of age or older."

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

SENATE BILL NO. 153—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 22:1931.13 and R.S. 40:1429, relative to insurance fraud; to extend the insurance fraud investigation unit within the Department of Public Safety and Corrections; to extend the Sledge Jeanson Louisiana Insurance Fraud Prevention Act; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 153 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 9, change "2020" to "2019"

AMENDMENT NO. 2

On page 1, line 12, change "2020" to "2019"

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

SENATE BILL NO. 260—
BY SENATOR MILKOVICH

AN ACT

To amend and reenact R.S. 49:992(D)(5) and to enact R.S. 37:21.1 and R.S. 49:992.2, relative to boards and commissions; to provide relative to disciplinary proceedings; to provide for the option to refer disciplinary matters to the division of administrative law; to provide relative to terms, conditions, 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. 260 by Senator Milkovich

AMENDMENT NO. 1

On page 1, line 2, after "37:21.1" insert ", 23.1,"

AMENDMENT NO. 2

On page 1, line 5, after "law;" insert "to provide for licensure, permitting, or certification for certain individuals;"

AMENDMENT NO. 3

On page 1, line 8, after "37:21.1" delete "is" insert "and 23.1 are"

AMENDMENT NO. 4

On page 2, between lines 7 and 8 insert:

§23.1. License, permit, or certificate for an individual with an ADA recognized disorder

Any board or commission within this Title may develop a process to issue a license, permit, or certificate outside the national examination for those individuals with an Americans with Disabilities Act recognized disorder."

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

SENATE BILL NO. 277—

BY SENATOR CLAITOR

AN ACT

To enacted R.S. 37:1285(J), relative to investigations by the Louisiana State Board of Medical Examiners; to provide for suspension, revocation, or imposition of restrictions; to provide for commencement of disciplinary actions; 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. 277 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 2, after ""To" delete "enacted" and insert "amend and reenact R.S. 37:1263(B)(3) and (F) and to enact"

AMENDMENT NO. 2

On page 1, line 4, after "actions;" insert "to provide for submission of names to serve on the board;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." insert "R.S. 37:1263(B)(3) and (F) are hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:
"§1263. Louisiana State Board of Medical Examiners; membership; qualifications; appointment; removal; terms

B. Beginning on January 1, 2017, the board shall consist of seven voting members, all appointed by the governor and subject to Senate confirmation as follows:

(3) One non-physician member from a list of names submitted by the Tulane Medical School chairmen of the senate and house committees on health and welfare.

F. Except as provided in Paragraph (D)(3) of this Section, members of the board shall be appointed for a term of four years, beginning on July first of the year in which the appointment is made. No member shall serve more than three consecutive terms. Notwithstanding the provisions of this Subsection, the member of the board appointed under the provisions of Paragraph (B)(3) of this Section shall serve only one term.

* * *

On motion of Senator 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 MILKOVICH

AN ACT

To enact R.S. 37:1293, relative to the Physician's Bill of Rights; to provide for physician rights against improper investigations; to provide for prohibited acts by the Louisiana State Board of Medical Examiners; to provide for physician due process; to provide for retroactive application; and to provide for related matters.

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

SENATE BILL NO. 297—

BY SENATOR CLAITOR

AN ACT

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

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

SENATE BILL NO. 365—

BY SENATOR WARD

AN ACT

To enact Chapter 20 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1371 through 1376, relative to the regulation of installment loans; to provide for a short title; to provide for definitions; to provide for terms and restrictions; to provide for a finance charge; to provide for a payment plan; to provide for limitations; to provide for default; to provide for penalties; to provide for rules and regulations; to provide for effectiveness; to provide for exemptions, 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. 365 by Senator Ward

AMENDMENT NO. 1

On page 1, line 3, change "1376" to "1379"

AMENDMENT NO. 2

On page 1, delete lines 4 through 7 and insert "enact the Louisiana Credit Access Loan Act; to provide relative to installment loans and payment plans; to provide certain terms, procedures, conditions, requirements, restrictions, prohibitions, exemptions, and definitions; to provide for certain charges; to provide relative to default and penalties; to provide for certain powers of the commissioner; and to"

AMENDMENT NO. 3

On page 1, line 11, change "1376" to "1379"

AMENDMENT NO. 4

On page 1, delete line 14 and insert "Credit Access Loan Act."

AMENDMENT NO. 5

On page 2, line 12, change "six" to "three"

AMENDMENT NO. 6

On page 2, line 15, change "one thousand five hundred" to "eight hundred seventy five"

AMENDMENT NO. 7

On page 2, delete line 27 and insert "**requires the aggregate of payments coming due in a month to exceed twenty percent of**"

AMENDMENT NO. 8

On page 3, between lines 6 and 7, insert:

"(5) Scheduled repayment of an installment loan is permitted on a biweekly, bimonthly, or monthly basis, and in substantially equal installments."

AMENDMENT NO. 9

On page 3, delete lines 17 through 28 and insert

"A. In conjunction with an installment loan, a licensee may impose a monthly service charge not in excess of nine percent of the original loan amount."

AMENDMENT NO. 10

On page 4, at the end of line 5, delete the period and insert "**, as verified by a private third party database, approved by the commissioner of financial institutions."**

AMENDMENT NO. 11

On page 4, delete lines 14 and 15 and insert

"A.(1) In the event a borrower is delinquent in a payment pursuant to the terms of an installment loan, the licensee may charge"

AMENDMENT NO. 12

On page 4, delete lines 22 through 29 and insert

"B. In the event that a borrower is delinquent in a payment for more than sixty days, the licensee may charge and collect from the borrower reasonable attorney fees and costs awarded by a court, if the charge and collection for such fees and costs have been clearly disclosed in the installment loan agreement."

AMENDMENT NO. 13

On page 5, delete lines 1 through 17 and insert **§1376. Prohibited acts**

A licensee shall not:

(1) Except for reasonable attorney fees and costs awarded by a court, charge, contract for, receive, or collect a loan finance charge or credit service charge, or any other fee or charge other than as provided in Section 1374 of this Chapter.

(2) Refuse a partial loan payment of fifty dollars or greater.

(3) Divide a deferred presentment transaction or small loan into multiple agreements for the purpose of obtaining a higher fee or charge.

(4) Threaten any customer with prosecution or refer for prosecution any check accepted as payment of a deferred presentment transaction and returned by the lender's depository institution for reason of insufficient funds.

(5) Structure the repayment of a loan in such a manner as to attempt to circumvent the provisions of this Chapter.

§1377. Posting of notice; toll-free number

The commissioner may provide a notice, which includes a toll-free number to the commissioner's office, which shall be posted, along with the fees as allowed under this Chapter, in a conspicuous place and manner by the licensee at the lending location or on the homepage of the website of the licensee, or both if the licensee has a physical location in the state and a website.

§1378. Powers of the commissioner; adoption of rules and regulations

A. Except where inconsistent with the provisions of this Chapter, the commissioner may apply the provisions of Parts I, VII, VIII, IX, and X of Chapter 2 of this Code Title, the Louisiana Consumer Credit Law, for purposes of administering and regulating the activities of licensees and the provisions of this Chapter.

B. The commissioner may adopt rules and regulations as he deems necessary to implement the purposes and provisions of this Chapter.

§1379. Exemptions

The provisions of this Chapter shall not apply to:

(1) Any federally-insured depository institution.

(2) A subsidiary of any state chartered or federally chartered entity described in Paragraph (1) of this Section in which eighty percent or more of the ownership rests with such parent entity."

AMENDMENT NO. 14

On page 5, delete line 18 and insert

"Section 2. The provisions of this Act shall become effective on August 1, 2019."

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

SENATE BILL NO. 404—

BY SENATOR HEWITT

AN ACT

To enact Chapter 17-A of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1281 through 1293, relative to sexual harassment prevention; to define and prohibit sexual harassment; to provide for legislative intent; to provide for public policy; to provide for definitions; to define prohibited acts; to provide for complaint procedure; to provide for remedies; to provide for disciplinary actions; to provide for duties; to provide for educational training; to provide for a handbook; to provide for administrative rules; 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. 404 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 3, change "1293" to 1294"

AMENDMENT NO. 2

On page 1, line 11, change "1293" to 1294"

AMENDMENT NO. 3

On page 1, line 12, change "STATE EMPLOYEES" to "PUBLIC SERVANTS"

AMENDMENT NO. 4

On page 1, line 15, change "STATE" to "PUBLIC"

AMENDMENT NO. 5

On page 2, line 6, change "state employee" to "public servant"

AMENDMENT NO. 6

On page 2, line 9, delete "state employee" and insert "public servant" and change "officials" to "official"

AMENDMENT NO. 7

On page 2, delete lines 11 through 14 and insert the following:

"A. The public policy of Louisiana is that state and local governments are committed to workplace decency and will not tolerate, condone, or permit any kind of sexual harassment of any public servant or by any public servant nor will retaliation against any victim of sexual harassment be permitted.

B. In furtherance of that public policy the state will do all of the following:

(1) Encourage victims to report incidents of sexual harassment as soon as possible.

(2) Immediately investigate all incidents of sexual harassment.

(3) Keep confidential all investigations in order to protect the identity of the victim.

(4) Protect the victim from retaliation.

(5) Take corrective action against the offender in order to render justice to the victim and prevent future incidents of sexual harassment."

AMENDMENT NO. 8

On page 2, line 19, after "state" insert ", local government, or political subdivision"

AMENDMENT NO. 9

On page 2, line 20, change "employee" to "public servant"

AMENDMENT NO. 10

On page 2, line 22, change "an employee" to "a public servant"

AMENDMENT NO. 11

On page 2, line 26, after "worker" delete the rest of the line and insert "who is a public servant, whether a public employee or an elected official."

AMENDMENT NO. 12

On page 2, delete line 27

AMENDMENT NO. 13

On page 2, line 28, after "(5)" delete the rest of the line and insert the following: "\"Elected official\" shall mean \"elected official\" as defined in R.S. 42:1102(9)."

AMENDMENT NO. 14

On page 2, delete line 29

AMENDMENT NO. 15

On page 3, delete line 1

AMENDMENT NO. 16

On page 3, line 2, after "(6) \"Investigator\" means" delete the rest of the line and insert "the public servant who is designated by the agency to receive and investigate the sexual harassment complaint."

AMENDMENT NO. 17

On page 3, delete lines 3 through 5

AMENDMENT NO. 18

On page 3, line 7, delete "an" and insert "another public servant"

AMENDMENT NO. 19

On page 3, line 8, delete "employee"

AMENDMENT NO. 20

On page 3, between line 9 and 10, insert the following:
"(8) \"Public employee\" shall mean \"public employee\" as defined in R.S. 42:1102(18).
"(9) \"Public servant\" shall mean \"public servant\" as defined in R.S. 42:1102(19)."

AMENDMENT NO. 21

On page 3, line 10, change "(8)" to "(10)" and change "an employee" to "a public servant"

AMENDMENT NO. 22

On page 3, line 15, change "(9)" to "(11)"

AMENDMENT NO. 23

On page 3, line 16, change "an employee" to "a public servant"

AMENDMENT NO. 24

On page 3, line 21, change "employee" to "public servant"

AMENDMENT NO. 25

On page 3, line 25, change "(10)" to "(12)"

AMENDMENT NO. 26

On page 4, line 1, change "(11)" to "(13)"

AMENDMENT NO. 27

On page 4, line 3, change "employee" to "public servant"

AMENDMENT NO. 28

On page 4, line 6, change "employee" to "public servant"

AMENDMENT NO. 29

On page 4, line 7, change "(12)" to "(14)"

AMENDMENT NO. 30

On page 4, line 10 delete "A." and on line 11, change "employee" to "public servant"

AMENDMENT NO. 31

On page 4, line 13, change "An employee" to "A public servant"

AMENDMENT NO. 32

On page 4, line 16, change "employee" to "public servant" and after "employed" insert "or the sexual harassment prevention coordinator with the commissioner of administration"

AMENDMENT NO. 33

On page 4, line 20, delete "for the agency" and insert "who received the complaint pursuant to Paragraph (1) of this Subsection" and change "employee's" to "public servant's"

AMENDMENT NO. 34

On page 4, line 22, change "employee" to "public servant"

AMENDMENT NO. 35

On page 4, line 24, change "employee's" to "public servant's" and change "employee" to "public servant"

AMENDMENT NO. 36

On page 5, line 1, change "employee's" to "public servant's"

AMENDMENT NO. 37

On page 5, line 3, change "employee's" to "public servant's"

AMENDMENT NO. 38

On page 5, line 4, change "employee" to "public servant"

AMENDMENT NO. 39

On page 5, line 8, change "employee" to "public servant"

AMENDMENT NO. 40

On page 5, line 10, change "employee" to "public servant"

AMENDMENT NO. 41

On page 5, between line 15 and 16, insert the following:
"F. If requested by the public servant, the agency shall make every effort to relocate the alleged victim or the offender or both pending the investigation."

AMENDMENT NO. 42

On page 5, line 19, after "place," delete the rest of the line and insert "the agency shall impose appropriate corrective action as determined by the appointing authority."

AMENDMENT NO. 43

On page 5, and delete line 20

AMENDMENT NO. 44

On page 5, delete lines 21 through 29, and insert the following:
"B. In addition to the appropriate corrective action in Subsection A of this Section, the offender shall take the remedial training as provided in R.S. 42:1290 to reform his conduct.
"C. The agency shall document the sexual harassment misconduct in the offender's employment file."

AMENDMENT NO. 45

On page 6, delete line 1

AMENDMENT NO. 46

On page 6, line 7, change "an employee" to "a public servant" and change "employee's" to "public servant's"

AMENDMENT NO. 47

On page 6, line 8, change "employee's" to "public servant's"

AMENDMENT NO. 48

On page 6, delete lines 11 through 21 and insert the following:

"§1288. State employment applications for unclassified employees; prior employment history of sexual harassment allegations

A. Notwithstanding anything to the contrary, each state agency shall insert a question on all employment applications for unclassified employees which will ask the applicant if he has ever been disciplined, fired, terminated, or resigned to avoid dismissal from employment.

B. As it relates to an applicant for an unclassified position who has a history of being an alleged offender in sexual harassment complaints in his previous employment, the state agency shall develop policies and procedures which will assist state agencies in doing all of the following:"

AMENDMENT NO. 49

On page 6, line 23, change "state" to "unclassified"

AMENDMENT NO. 50

On page 7, delete lines 4 through 5, and insert the following:

"A.(1) Every public servant shall complete a minimum of one"

AMENDMENT NO. 51

On page 7, delete lines 13 through 16 and insert the following:

"(2) Each public servant who is appointed to receive and investigate complaints pursuant to R.S. 42:1285 shall be required to receive an additional one hour of education and training on sexual harassment during each year of his public employment or term of office, as the case may be."

AMENDMENT NO. 52

On page 7, line 26, after "person" delete "through the Comprehensive Public Training Program"

AMENDMENT NO. 53

On page 7, line 27, delete "maintained"

AMENDMENT NO. 54

On page 7, between lines 27 and 28, insert the following:

"C. The Department of State Civil Service shall develop and make available education and training materials at no cost to assist agency heads and public servants in complying with the requirements of this Chapter."

AMENDMENT NO. 55

On page 7, delete line 29, and insert the following: "Each agency shall require as remedial training that the offender meet with the sexual harassment prevention coordinator for one hour and review, in detail, the agency handbook provided for in R.S. 42:1292."

AMENDMENT NO. 56

On page 8, delete lines 1 through 4

AMENDMENT NO. 57

On page 8, line 5, change "§1290" to "§1291"

AMENDMENT NO. 58

On page

AMENDMENT NO. 59

On page 8, line 9, delete "public officials and employees" and insert "public servants"

AMENDMENT NO. 60

On page 8, line 15, delete "public official and" and insert "public servant"

AMENDMENT NO. 61

On page 8, line 16, delete "employee"

AMENDMENT NO. 62

On page 8, line 20, delete "public official and employee" and insert "public servant"

AMENDMENT NO. 63

On page 8, line 29, delete "public official or employee" and insert "public servant"

AMENDMENT NO. 64

On page 9, line 2, delete "public official or employee" and insert "public servant"

AMENDMENT NO. 65

On page 9, line 3, delete "public official or the employee" and insert "public servant"

AMENDMENT NO. 66

On page 9, line 14, change "state employee" to "public servant"

AMENDMENT NO. 67

On page 9, line 15, change "state" to "public"

AMENDMENT NO. 68

On page 10, line 1, change "employee" to "public servant"

AMENDMENT NO. 69

On page 10, line 18, change "employees" to "public servants"

AMENDMENT NO. 70

On page 11, line 1, change "employee" to "public servant"

AMENDMENT NO. 71

On page 11, line 3, change "employee" to "public servant"

AMENDMENT NO. 72

On page 11, between lines 8 and 9, insert the following:

"§1294. Mandatory reports

A. Each agency head shall compile an annual report, by February first of each year, containing information from the previous calendar year regarding his agency's compliance with the requirements of this Chapter including the number and percentage of public servants in his agency who have completed the training requirements, the number of sexual harassment complaints received by his agency, the number of sexual harassment complaints wherein a pay discrepancy is found and the amount of time it took to resolve each complaint. These reports shall be public record and available to the public in the manner provided by the Public Records Law.

B. Agency heads in state government shall submit the reports required by Subsection A of this Section by February fifteenth of each year as follows:

(1) Agency heads in the twenty principal departments of the executive branch of state government, the office of the governor, and the office of lieutenant governor shall submit the report to the division of administration.

(2) Agency heads in the legislative branch of state government shall submit the report to the Legislative Budgetary Control Council.

(3) Agency heads in the judicial branch of state government, including the supreme court, courts of appeal, district courts, and other courts authorized by Article V of the Constitution of Louisiana, shall submit the report to the chief justice of the supreme court."

April 5, 2018

AMENDMENT NO. 73

On page 11, line 9, change "State" to "Public"

AMENDMENT NO. 74

On page 11, line 10, change "Employees" to "Servants"

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

SENATE BILL NO. 435—

BY SENATOR MILLS

AN ACT

To amend and reenact the introductory paragraph of R.S. 37:913 and to enact R.S. 37:913(B), relative to advanced practice registered nursing; to provide for exceptions to the collaborative practice agreement requirement; to provide for technical corrections; 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. 435 by Senator Mills

AMENDMENT NO. 1

On page 1, line 14, after "who is" delete the remainder of the line and on line 15, delete "nursing duties in a hospital" and insert "employed under contract or arrangement with hospital systems"

AMENDMENT NO. 2

On page 1, line 16, change "R.S. 40:2010" to "R.S. 40:2100"

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

SENATE BILL NO. 445—

BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 22:971 and 1333(D), R.S. 24:775(A), and R.S. 39:31(B), 87.3(A) and (B), and 2179, and to enact Chapter 21 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1401, relative to reports required of agencies of the executive branch of Louisiana state government; to reduce the frequency of certain reports; to eliminate the requirement of certain reports; to provide for an effective date; 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. 445 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and on line 3, delete "and (B), and 2179, and to"

AMENDMENT NO. 2

On page 1, line 5, after "government;" delete the remainder of the line and delete line 6 and insert "to provide for automatic elimination of certain reports; to require notification before the automatic elimination; to provide for extension of reports scheduled for elimination; to"

AMENDMENT NO. 3

On page 1, line 13, change "B" to "C"

AMENDMENT NO. 4

On page 1, between lines 16 and 17, insert:

"B. Except as provided in Subsection C of this Section, a legislative mandate to produce any report required of an executive branch agency first occurring on or before June 30, 2018, shall expire on the July first following June 30, 2019, in the earliest year that is a multiple of five years after the mandate was initially approved by the legislature."

AMENDMENT NO. 5

On page 1, line 17, change "B" to "C"

AMENDMENT NO. 6

On page 2, delete lines 4 through 29 and delete pages 3 through 6, and on page 7, delete lines 1 through 6 and insert:

"D. The executive branch agency tasked with producing the report shall, not later than the January first immediately preceding the expiration date, notify the committees of the pending expiration of the report via electronic mail. The notification shall include at a minimum a citation of the original mandate requiring the report, a copy of the most recent report, and an estimate of the agency resources including costs expended in producing the report."

AMENDMENT NO. 7

On page 7, line 7, change "Section 6" to "Section 2"

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

SENATE BILL NO. 447—

BY SENATOR BARROW

AN ACT

To enact Chapter 16 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:1251 through 1253, relative to mandatory training for public servants; to require annual sexual harassment training for public servants; to require the Department of State Civil Service to develop and approve required training program; to require additional training for supervisors; to require agency heads to designate an Employee Relations Designee; to provide for the responsibility of the Employee Relations Designee; to require each agency to maintain compliance records on required training; to provide minimum components for sexual harassment policies of agencies; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 480—

BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 42:802(D) and 881(B), relative to the Office of Group Benefits; to eliminate the requirement that all programs be adopted through the Administrative Procedure Act; to eliminate the necessity for the Policy and Planning Board to approve benefits plans or proposed rate structures; to provide for an effective date; 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. 480 by Senator Johns

AMENDMENT NO. 1

On page 1, line 2, after "802(D)" insert ", 808(E)" and after "881(B)" insert "and to enact R.S. 42:808(F)"

AMENDMENT NO. 2

On page 1, line 5, after "structures;" insert "to provide for eligibility in group programs;"

AMENDMENT NO. 3

On page 1, line 8, after "802(D)" insert ", 808(E)" and after "reenacted" insert "and R.S. 42:808(F) is hereby enacted"

AMENDMENT NO. 4

On page 2, between lines 20 and 21, insert the following:
"§808. Eligibility in group programs

* * *

E. Notwithstanding any provision of law to the contrary, any person with a developmental disability who acquired such disability prior to attaining the age of twenty-one, with one parent whose coverage of such person was terminated as a result of lost employment of the parent and one parent who is an employee, as defined in Paragraphs (A)(1) and (3) of this Section, participating in life, health, or other programs sponsored by the Office of Group Benefits, shall be covered as a dependent of such parent participating in life, health, or other programs sponsored by the Office of Group Benefits, regardless of the age of the person with a developmental disability. and in particular the provisions of R.S. 22:1001, 1003, and 1003.I, the Office of Group Benefits is authorized to offer group insurance coverage to the following dependents of an enrollee:

(1) The spouse of the enrollee, as defined by the office.

(2) A child of the enrollee, until the end of the month the child attains the age of twenty-six, unless coverage is terminated earlier as provide in this Section.

(3) For purposes of this Section, "child" means:

(a) The issue of a marriage of the enrollee.

(b) A natural child of the enrollee.

(c) A legally adopted child of the enrollee or a child placed for adoption with the enrollee.

(d) The child of a male enrollee, if a court of competent jurisdiction has issued an order of filiation declaring the paternity of the enrollee for the child or the enrollee has formally acknowledged the child.

(e) The issue of a previous marriage or a natural or legally adopted child of the enrollee's legal spouse, hereinafter "stepchild", which stepchild has not been adopted by the enrollee and for whom the enrollee does not have court-ordered legal custody, until the earliest of:

(i) The end of the month the enrollee is no longer married to the stepchild's parent.

(ii) The end of the month of the death of the enrollee's spouse who is the stepchild's parent.

(iii) The end of the month the stepchild attains the age of twenty-six.

(f) A grandchild in the court-ordered legal custody of and residing with the grandparent enrollee, until the end of the month the grandchild attains the age of twenty-six. For purposes of this Paragraph, "grandchild" means a child of a child of the enrollee.

(g) A dependent for whom the enrollee has court-ordered legal custody or court-ordered legal guardianship but who is not a child or grandchild, as defined in this Paragraph, of the enrollee until the end of the month the custody or guardianship order expires or the end of the month the dependent attains the age of eighteen, whichever is earlier.

F. (1) Attainment of the respective limiting age of a child or grandchild, as defined in Paragraph (E)(3) of this Section, shall not operate to terminate the coverage of such child or grandchild if the child or grandchild became incapable of self-sustaining employment by reason of physical or mental disability prior to attaining the respective limiting age, provided that before the child or grandchild reaches the limiting age, but no earlier than six months prior thereto, an application for continued coverage is filed with the office on a form designated by the office, and the application is subsequently approved. This application shall be accompanied by an attestation from the dependent's attending physician setting forth the specific physical or mental disability and certifying that the child or grandchild is incapable of self-sustaining employment by reason of that disability. The office may require additional medical or other supporting documentation regarding the disability to process the application.

(2) After the initial approval, the office may require the submission of additional medical or other supporting documentation substantiating the continuance of the disability, but not more frequently than annually, as a precondition to continued coverage.

* * *

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

SENATE BILL NO. 482—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 37:1361(F)(1)(b)(i), 1377(I) and (J) and to enact R.S. 37:1361(F)(3), 1367(J)(3) and 1377(K)(3), relative to mechanical contractors; to provide relative to scope of practice; to provide for exceptions; to provide for certain terms and conditions; 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. 482 by Senator Riser

AMENDMENT NO. 1

On page 1, line 5, after "conditions;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 2, line 6, after "**shall not apply to**" insert "**any service or**"

AMENDMENT NO. 3

On page 2, line 23, after "**shall not apply to**" insert "**any service or**"

AMENDMENT NO. 4

On page 4, after line 23, insert:

"Section 2. This Act shall become effective on June 10, 2018."

On motion of Senator Martiny, 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. 524—

BY REPRESENTATIVES CARPENTER AND MORENO
AN ACT

To enact Chapter 6 of Title 42 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 42:341 through 345, relative to public officers and employees; to provide for policies prohibiting sexual harassment; to provide for training on the prevention of sexual harassment; to provide for annual reports; to provide for definitions; to provide for the duties of certain agency heads; to provide for the duties of the Department of State Civil Service relative thereto; 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 Reengrossed House Bill No. 524 by Representative Carpenter

AMENDMENT NO. 1

On page 1, after line 18, insert the following:

"(3) 'Complainant' means the public servant who initiates the complaint."

AMENDMENT NO. 2

On page 2, at the beginning of line 1, change "(3)" to "(4)"

AMENDMENT NO. 3

On page 2, at the beginning of line 4, change "(4)" to "(5)"

AMENDMENT NO. 4

On page 2, at the beginning of line 5, change "(5)" to "(6)"

AMENDMENT NO. 5

On page 2, at the beginning of line 11, change "(6)" to "(7)"

AMENDMENT NO. 6

On page 2, between lines 11 and 12, insert the following:

"(8) 'Respondent' means the person alleged to have violated the agency's policy prohibiting sexual harassment and retaliation.

(9) 'Sexual harassment' means unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to unreasonably interfere with an employee's job performance or to create an intimidating, hostile, or offensive working environment. 'Sexual harassment' shall include as 'unwelcome conduct of a sexual nature' requests for sexual favors and other written, verbal, or physical conduct of a sexual nature when:

(a) Submission to the conduct in made either explicitly or implicitly a term or condition of a individual's employment.

(b) Submission to or rejection of the conduct by an individual is used as the basis for employment decisions affecting the individual.

(c) The conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment."

AMENDMENT NO. 7

On page 2, line 13, after "develop" delete the remainder of the line and insert a comma "," and insert "adopt, and implement a policy to prevent sexual"

AMENDMENT NO. 8

On page 2, delete lines 16 through 21, and insert the following:

"(1) A statement defining sexual harassment as provided in R.S. 42:341(9).

(2) Examples to illustrate the type of conduct that sexual harassment pursuant to the policy shall encompass. Conduct prohibited shall specifically include:

(a) Physical assaults of a sexual nature, such as rape, sexual battery, molestations or attempts to commit the assaults and intentional physical contact that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against an employee's body, or poking an employee's body.

(b) Unwelcome sexual advances, propositions, or other sexual comments, such as sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experiences.

(c) Preferential treatment or promises of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee or engage in sexual activity for compensation or reward.

(d) Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of that employee's sex.

(e) Sexual displays or publications anywhere in the workplace.

(3) A clear statement that sexual harassment shall not be tolerated."

AMENDMENT NO. 9

On page 2, at the beginning of line 22, change "(2)" to "(4)" and change "process" to "procedure"

AMENDMENT NO. 10

On page 2, at the end of line 24, after "received." insert the following:

"At a minimum, the agency's complaint or grievance procedure shall include:

(a) Time deadlines associated with each step of the process.

(b) A statement that sexual harassment inquiries, complaints, and investigations shall be confidential to the extent possible, revealed only on a need-to-know basis.

(c) An opportunity for the respondent to respond to allegations contained in a complaint on a complaint that the agency decided merits further investigation.

(d) A statement regarding possible remedies and discipline for a finding of a violation of the agency's policy. It shall include that the mandatory minimum disciplinary action for a finding of a violation of the policy by a public servant shall be a written reprimand in the public servant's permanent personnel file with the agency. For a serious violation or for repeat violations, the agency's options for disciplinary action shall include:

(i) For a public employee, termination from employment and reporting of finding to the district attorney or other authorities, as appropriate.

(ii) For an appointed or elected official who is not a legislator, reporting of findings to the Legislature as conduct considered to be malfeasance or gross misconduct while in office as provided in the Louisiana Constitution Article X, Section 24, and reporting to the district attorney or other authorities, as appropriate."

AMENDMENT NO. 11

On page 2, at the beginning of line 25, change "(3)" to "(5)"

AMENDMENT NO. 12

On page 3, at the beginning of line 5, after "B." insert "(1)"

AMENDMENT NO. 13

On page 3, line 7, after "approved" delete the remainder of the line and insert "for this purpose by the Louisiana Department of State Civil Service pursuant to Chapter 17 of this Title."

AMENDMENT NO. 14

On page 3, between lines 7 and 8, insert the following:

"(2) Nothing in this Chapter shall prohibit an agency head from requiring that the public servants employed by or elected or appoint to his agency receive training additional to that required by Subsection A of this Section.

(3) An agency head may institute a policy that provides consequences for public servants employed by or elected or appointed to his agency who do not timely complete the mandatory training."

AMENDMENT NO. 15

On page 3, at the beginning of line 20, after "A." insert "(1)(a)"

AMENDMENT NO. 16

On page 3, line 22, after "including" delete the remainder of the line and delete lines 23 through 25 and insert a colon ":" and insert the following:

"(i) The number and percentage of public servants in his agency who have completed the training requirements.

(ii) The number of sexual harassment complaints received by his agency.

(iii) The amount of time taken to resolve each complaint.

(b) Regarding Items (a)(ii) and (a)(iii) of this Paragraph, the report shall not include any information revealing the identity of the complainant or the respondent.

(2) The reports required by Subparagraph (A)(1)(a) of this Section shall be"

AMENDMENT NO. 17

On page 3, between lines 27 and 28, insert the following:

"(3) Any files or records that reveal the identity of the complainant or the respondent and all information pertaining to the complaint and the investigation shall not be public record."

AMENDMENT NO. 18

On page 3, line 29, change "Subsection A" to "Subparagraph (A)(1)(a)"

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

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR PETERSON

A CONCURRENT RESOLUTION

To create and provide with respect to a special legislative task force to study and make recommendations with respect to preventing sexual harassment in the legislative environment.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Johns	Peacock
Allain	LaFleur	Peterson

Boudreaux	Lambert	Price
Carter	Long	Riser
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Cortez	Milkovich	Walsworth
Erdey	Mills	Ward
Fannin	Mizell	White
Gatti	Morrell	
Hewitt	Morrish	

Total - 31

NAYS

Total - 0

ABSENT

Appel	Colomb	Smith, G.
Barrow	Donahue	Smith, J.
Bishop	Perry	

Total - 8

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**

Bagneris Rule

Senator Long 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 BILL NO. 442—

BY SENATOR MORRELL

AN ACT

To enact Chapter 58 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:3150 and 3152, relative to DNA testing kits; to provide relative to advertisement; to provide relative to notification; to provide for certain terms and conditions; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 442 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 3, change "and" to "through"

AMENDMENT NO. 2

On page 1, line 8, change "and" to "through"

AMENDMENT NO. 3

On page 2, line 4, change "easy to read" to "easy-to-read"

AMENDMENT NO. 4

On page 2, line 7, change "besides" to "other than"

AMENDMENT NO. 5

On page 2, line 9, following "research" and before "conducted" insert "that may be"

April 5, 2018

AMENDMENT NO. 6

On page 2, line 13, change "remove" to "withdraw"

AMENDMENT NO. 7

On page 2, line 14, change "anytime" to "any time"

AMENDMENT NO. 8

On page 2, line 16, following "lose" and before "exclusive" insert "the"

On motion of Senator Martiny, the amendments were adopted.

Floor Amendments

Senator Morrell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Engrossed Senate Bill No. 442 by Senator Morrell

AMENDMENT NO. 1

On page 2, after line 23, insert the following:

Section 2. This Act shall be known as and may be referred to as the "Henrietta Lacks Act".

On motion of Senator Morrell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Hewitt, Morrish, Allain, Johns, Peacock, Boudreaux, Lambert, Peterson, Carter, Long, Price, Chabert, Luneau, Riser, Claitor, Martiny, Tarver, Cortez, Milkovich, Thompson, Erdey, Mills, Walsworth, Fannin, Mizell, Ward, Gatti, Morrell, White. Total - 30

NAYS

Total - 0

ABSENT

Table with 3 columns: Appel, Colomb, Perry, Barrow, Donahue, Smith, G., Bishop, LaFleur, Smith, J. Total - 9

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

SENATE BILL NO. 477— (Substitute of Senate Bill No. 189 by Senator LaFleur)

BY SENATOR LAFLEUR

AN ACT

To enact R.S. 37:1164(59) and 1226.4; relative to electronic prescribing of noncontrolled legend drugs; to provide for a

definition of chart order; to provide for bidirectional transmission; to provide for authority to the Louisiana State Law Institute to alphabetize the definition list; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Hewitt, Peterson, Allain, Johns, Price, Boudreaux, LaFleur, Riser, Carter, Lambert, Smith, J., Chabert, Long, Tarver, Claitor, Milkovich, Thompson, Cortez, Mills, Walsworth, Donahue, Mizell, Ward, Erdey, Morrell, White, Fannin, Morrish, Gatti, Peacock. Total - 31

NAYS

Total - 0

ABSENT

Table with 3 columns: Appel, Colomb, Perry, Barrow, Luneau, Smith, G., Bishop, Martiny. Total - 8

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

SENATE BILL NO. 81—

BY SENATOR CLAITOR

AN ACT

To enact R.S. 13:3734(H), relative to coroners; to provide relative to coroners' investigations; to provide relative to certain biological fluids or samples; to provide relative to the release of biological fluids or samples to coroners; to provide relative to custodians of records; to provide relative to liability; to provide for exceptions; and to provide for related matters.

Floor Amendments

Senator Claitor proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Engrossed Senate Bill No. 81 by Senator Claitor

AMENDMENT NO. 1

On page 1, line 14, after "investigation" and before the period "." insert the following:

"the records of which would otherwise be available to the coroner pursuant to Subsection F of this Section"

AMENDMENT NO. 2

On page 2, line 1, after "release of a" and before "patient's" insert "deceased"

On motion of Senator Claitor, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hewitt	Morrish
Allain	Johns	Peacock
Boudreaux	LaFleur	Peterson
Carter	Lambert	Price
Chabert	Long	Riser
Claitor	Luneau	Smith, J.
Cortez	Martiny	Tarver
Donahue	Milkovich	Thompson
Erdey	Mills	Walsworth
Fannin	Mizell	Ward
Gatti	Morrell	White
Total - 33		

NAYS

Total - 0

ABSENT

Appel	Bishop	Perry
Barrow	Colomb	Smith, G.
Total - 6		

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

SENATE BILL NO. 253—
BY SENATOR MILKOVICH

AN ACT

To amend and reenact R.S. 17:2115.11(B), relative to student-initiated prayer; to authorize school employee participation in student-initiated prayer; to provide for conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Hewitt	Peterson
Allain	Johns	Price
Boudreaux	Lambert	Riser
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Milkovich	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward
Erdey	Morrell	White
Fannin	Morrish	
Gatti	Peacock	
Total - 31		

NAYS

Total - 0

ABSENT

Appel	Colomb	Perry
Barrow	LaFleur	Smith, G.
Bishop	Martiny	
Total - 8		

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

SENATE BILL NO. 308—
BY SENATOR MIZELL

AN ACT

To enact R.S. 15:587.7, relative to the creation of a volunteer and employee criminal history system; to provide for definitions; to provide for access to state and national criminal history records; to provide for confidentiality; to provide for immunity; to provide for rulemaking; and to provide for related matters.

Floor Amendments

Senator Mizell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mizell to Engrossed Senate Bill No. 308 by Senator Mizell

AMENDMENT NO. 1

On page 1, line 12, after "**individuals**" insert "**in the absence of specific statutory provisions regarding access to criminal history record information**"

On motion of Senator Mizell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gatti	Peacock
Allain	Hewitt	Peterson
Bishop	Johns	Price
Boudreaux	Lambert	Riser
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Milkovich	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward
Erdey	Morrell	White
Fannin	Morrish	
Total - 32		

NAYS

Total - 0

ABSENT

Appel	LaFleur	Smith, G.
Barrow	Martiny	
Colomb	Perry	
Total - 7		

April 5, 2018

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

SENATE BILL NO. 377—
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 30:21(B)(2)(a) and (b) and to enact R.S. 30:9.3, relative to the office of conservation; to establish procedures for review of future utility of well sites that have been inactive for more than ten years; to provide for procedures, terms, rules, conditions, and requirements; to provide an exception to time requirements; and to provide for related matters.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 377 by Senator Allain

AMENDMENT NO. 1

On page 3, line 12, after "donate" insert "or any person on the owner's behalf may donate"

AMENDMENT NO. 2

On page 4, line 13, after "program." delete the remainder of the line, delete lines 14 through 16, and insert the following:

"The monies credited to the fund generated from donations shall be used to determine future utility in accordance with the rules and regulations adopted by the commissioner pursuant to R.S. 30:9.3. The monies credited to the fund generated from the annual assessment paid by an operator who chooses not to plug a well classified as inactive shall be used to fund those employees of the department tasked for activities associated with monitoring inactive wells, inspecting inactive wells, determining future utility of inactive wells, ensuring the proper plugging of inactive wells, or preventing inactive wells from being declared orphaned without being covered by financial security or a site-specific trust fund. Any monies remaining"

On motion of Senator Allain, the amendments were adopted.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 377 by Senator Allain

AMENDMENT NO. 1

On page 2, delete lines 18 through 20, and insert the following:

"(5) Within ten days of a final determination by the office, the office shall submit the operator's written justification and the office's final determination to the owner. If the office determines the well has no future utility, the owner shall have ten days from receipt of the justification and determination to request in writing the well be plugged and abandoned.

(6) If the owner requests the well be plugged and abandoned, then within ninety days from the owner request, the operator shall submit a plan to the office to plug and abandon the well."

AMENDMENT NO. 2

On page 2, line 21, change "(6)" to "(7)"

AMENDMENT NO. 3

On page 2, line 24, change "(7)" to "(8)"

AMENDMENT NO. 4

On page 2, line 27, change "(8)" to "(9)"

AMENDMENT NO. 5

On page 3, between lines 15 and 16, insert the following:

"D. The provisions of this Section shall not preclude an operator from pursuing a contractual claim for reimbursement of costs of the plugging and abandonment of the well from any owner as defined in R.S. 30:3."

AMENDMENT NO. 6

On page 3, line 16, change "D." to "E."

On motion of Senator Allain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gatti	Peacock
Allain	Hewitt	Peterson
Bishop	Johns	Price
Boudreaux	Lambert	Riser
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Milkovich	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward
Erdey	Morrell	White
Fannin	Morrish	
Total - 32		

NAYS

Total - 0

ABSENT

Appel	LaFleur	Smith, G.
Barrow	Martiny	
Colomb	Perry	
Total - 7		

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

SENATE BILL NO. 168—
BY SENATOR THOMPSON

AN ACT

To amend and reenact the introductory paragraph of R.S. 44:3(A), relative to public records; to exempt certain records of the Department of Agriculture and Forestry from the Public Records Law; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 168 by Senator Thompson

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact the introductory paragraph of R.S. 44:3(A)" to "enact R. S. 44:3.5"

AMENDMENT NO. 2

On page 1, line 11, change "**Forestry Officers**" to "**forestry officers**"

AMENDMENT NO. 3

On page 1, line 11, change "**Livestock Brand Inspectors**" to "**livestock brand inspectors**"

On motion of Senator Martiny, the amendments were adopted.

On motion of Senator Thompson, the amended bill was read by title and returned to its regular order on Third Reading and Final Passage.

SENATE BILL NO. 380—

BY SENATOR BISHOP

AN ACT

To amend and reenact R.S. 17:5002(E)(2) and the introductory paragraph of 5025, and to enact R.S. 17:5002(H), 5024(A)(1)(e) and (B)(1)(e), 5026.1, and 5042.1, relative to the Taylor Opportunity Program for Students; to create a new program award; to provide for initial award eligibility and continuation requirements; to provide relative to award amount; and to provide for related matters.

Floor Amendments

Senator Martiny proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 380 by Senator Bishop

AMENDMENT NO. 1

On page 4, line 14, change "**is**" to "**shall be**"

On motion of Senator Martiny, the amendments were adopted.

On motion of Senator Bishop, the amended bill was read by title and returned to its regular order on Third Reading and Final Passage.

Rules Suspended

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

Introduction of Senate Resolutions**SENATE RESOLUTION NO. 75—**

BY SENATOR MILLS

A RESOLUTION

To commend the Louisiana Physical Therapy Association for its outstanding achievements and to recognize April 10, 2018, as Louisiana Physical Therapy Association Day.

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

**Introduction of
Senate Concurrent Resolutions****SENATE CONCURRENT RESOLUTION NO. 60—**

BY SENATORS WARD AND PRICE

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Charles Rodney "Rod" Prejean Sr.

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

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

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

April 5, 2018

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATORS WALSWORTH, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CHABERT, CLAITOR, COLOMB, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, MORRISH, PEACOCK, PERRY, PETERSON, PRICE, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WARD AND WHITE AND REPRESENTATIVES ABRAHAM, ABRAMSON, AMEDEE, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BRASS, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, CROMER, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, FOIL, FRANKLIN, GAINES, GAROFALO, GISCLAIR, GLOVER, GUINN, HALL, JIMMY HARRIS, LANCE HARRIS, HAVARD, HAZEL, HENRY, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUNTER, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, JONES, JORDAN, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LYONS, MACK, MAGEE, MARCELLE, MARINO, MCFARLAND, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MORENO, JAY MORRIS, JIM MORRIS, MUSCARELLO, NORTON, PEARSON, PIERRE, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SEABAUGH, SHADOIN, SIMON, SMITH, STAGNI, STEFANSKI, STOKES, TALBOT, THIBAUT, THOMAS, WHITE, WRIGHT AND ZERINGUE

A CONCURRENT RESOLUTION

To commend Quentin D. Dastugue upon his induction into the Louisiana Political Museum and Hall of Fame.

SENATE CONCURRENT RESOLUTION NO. 52—

BY SENATOR THOMPSON AND REPRESENTATIVE CROMER

A CONCURRENT RESOLUTION

To commend NASA's Michoud Assembly Facility on being awarded the "Certified Louisiana" logo by the Department of Agriculture and Forestry.

SENATE CONCURRENT RESOLUTION NO. 53—
BY SENATOR ALARIO AND REPRESENTATIVE LEGER
A CONCURRENT RESOLUTION

To invite Madame Chief Justice Bernette Johnson of the Louisiana Supreme Court to address a joint session of the legislature.

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATORS LONG, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAU, CARTER, CHABERT, CLAITOR, COLOMB, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, MORRISH, PEACOCK, PERRY, PETERSON, PRICE, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ABRAMSON, BAGNERIS, BOUIE, BRASS, CARPENTER, GARY CARTER, COX, FRANKLIN, GAINES, GAROFALO, GLOVER, HALL, JIMMY HARRIS, HILFERTY, HUNTER, JACKSON, JAMES, JEFFERSON, JENKINS, JORDAN, TERRY LANDRY, LEGER, LYONS, MARCELLE, DUSTIN MILLER, MORENO, NORTON, PIERRE AND SMITH

A CONCURRENT RESOLUTION

To commend, posthumously, Reverend Avery Caesar Alexander upon his induction into the Louisiana Political Museum and Hall of Fame.

SENATE CONCURRENT RESOLUTION NO. 56—

BY SENATORS ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAU, CARTER, CHABERT, CLAITOR, COLOMB, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, MORRISH, PEACOCK, PERRY, PETERSON, PRICE, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE AND REPRESENTATIVES ABRAHAM, ABRAMSON, AMEDEE, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BRASS, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, CROMER, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, FOIL, FRANKLIN, GAINES, GAROFALO, GISCLAIR, GLOVER, GUINN, HALL, JIMMY HARRIS, LANCE HARRIS, HAVARD, HAZEL, HENRY, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUNTER, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, JONES, JORDAN, NANCY LANDRY, TERRY LANDRY, LEBAS, LEGER, LEOPOLD, LYONS, MACK, MAGEE, MARCELLE, MARINO, MCFARLAND, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MORENO, JAY MORRIS, JIM MORRIS, MUSCARELLO, NORTON, PEARSON, PIERRE, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SEABAUGH, SHADOIN, SIMON, SMITH, STAGNI, STEFANSKI, STOKES, TALBOT, THIBAUT, THOMAS, WHITE, WRIGHT AND ZERINGUE

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of statesman and former state senator and representative, Thomas Alcade "Tom" Casey.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 4, 2018

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. 23—
BY REPRESENTATIVE FALCONER
A CONCURRENT RESOLUTION

To recognize Monday, April 9, 2018, as Louisiana Drug and Specialty Court Day at the state capitol and to commend the Louisiana Supreme Court Drug Court Office and the Louisiana Association of Drug Court Professionals for their services to the citizens of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVE HOFFMANN
A CONCURRENT RESOLUTION

To commend Louisiana's pregnancy centers, adoption agencies, social services, pro-life organizations, and pro-life citizens, and to recognize Wednesday, April 4, 2018, as Pro-Life Day at the state capitol.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

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

ABSENT

Appel	Colomb	Smith, G.
Barrow	Perry	
Total - 5		

Leaves of Absence

The following leaves of absence were asked for and granted:

Appel	1 Day	Barrow	1 Day
Colomb	1 Day	Perry	1 Day
Smith, G.	1 Day		

Announcements

The following committee meetings for April 8, 2018, were announced:

Finance	1:30 P.M.	Room A
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The following committee meetings for April 9, 2018, were announced:

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

Adjournment

On motion of Senator Thompson, at 10:20 o'clock A.M. the Senate adjourned until Monday, April 9, 2018, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk