

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

TWELFTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Friday, May 15, 2020

The Senate was called to order at 10:20 o'clock A.M. by Hon. Patrick Page Cortez, President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Henry	Peacock
Abraham	Hensgens	Pope
Allain	Hewitt	Price
Bernard	Johns	Reese
Bouie	Lambert	Smith
Cathey	Luneau	Talbot
Cloud	McMath	Ward
Fesi	Mills, F.	White
Fields	Mills, R.	Womack
Foil	Mizell	
Harris	Morris	
Total - 31		

ABSENT

Barrow	Connick	Peterson
Boudreaux	Jackson	Terver
Carter	Milligan	
Total - 8		

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

Prayer

The prayer was offered by Senator Patrick McMath, 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 May 14, 2020, was adopted.

Introduction of Senate Resolutions

**SENATE RESOLUTION NO. 45—
BY SENATOR HEWITT**

A RESOLUTION

To adopt Senate Rule 15.4 of the Rules of Order of the Senate, relative to voting during a declared emergency; to allow members to be counted as present in the chamber; to allow members to vote via video conferencing or other electronic means.

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

**SENATE RESOLUTION NO. 46—
BY SENATOR HENRY**

A RESOLUTION

To create and provide for the Coroner Safety Task Force to develop recommendations that seek to enhance the prevention and mitigation of harm against a coroner and behavioral health facility personnel during an examination performed in furtherance of the execution of a coroner's emergency certificate.

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

**Senate Resolutions on
Second Reading**

**SENATE RESOLUTION NO. 41—
BY SENATOR REESE**

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of retired Louisiana State Police Captain, Scotty V. McCloud of Leesville, Louisiana.

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

**SENATE RESOLUTION NO. 42—
BY SENATOR FOIL**

A RESOLUTION

To designate the week of May 17-23, 2020, as Emergency Medical Services Week.

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

**SENATE RESOLUTION NO. 43—
BY SENATOR CORTEZ**

A RESOLUTION

To recognize Peace Officers Memorial Day and Police Week.

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

**SENATE RESOLUTION NO. 44—
BY SENATOR FOIL**

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Denver Loupe, PhD, longtime 4-H leader and expert in sugarcane science.

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

**Senate Concurrent Resolutions on
Second Reading**

**SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR JACKSON**

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to create a continuous learning task force to assist the state Department of Education in developing guidance for Louisiana educators to meet the immediate need of supporting learning outside of our normal practices.

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

**House Concurrent Resolutions on
Second Reading**

**HOUSE CONCURRENT RESOLUTION NO. 82—
BY REPRESENTATIVE ROMERO AND SENATOR ABRAHAM**

A CONCURRENT RESOLUTION

To commend the Hathaway High School girls' basketball team on an outstanding 2020 season.

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

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May 15, 2020

12th DAY'S PROCEEDINGS

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Reese	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

NAYS

Total - 0		
	ABSENT	

Barrow	Connick	Tarver
Boudreaux	Milligan	
Carter	Peterson	
Total - 7		

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

Reconsideration

The vote by which Senate Bill No. 443 failed to pass on Thursday, May 14, 2020, was reconsidered.

SENATE BILL NO. 443—

BY SENATOR WARD

AN ACT

To enact R.S. 51:1429, relative to advertisements for certain professional services; to provide relative to advertising expenses; to provide relative to unfair trade practices; to provide for penalties; to provide for certain terms and procedures; and to provide for related matters.

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

Senate Resolutions on Second Reading Reported by Committees

SENATE RESOLUTION NO. 9—

BY SENATOR CORTEZ

A RESOLUTION

To amend Senate Rule 13.22(A) of the Rules of Order of the Senate, relative to the Senate Executive Committee; to add two additional members to the committee.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

NAYS

ABSENT

Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

Total - 0		
	ABSENT	
Barrow	Connick	Tarver
Boudreaux	Milligan	
Carter	Peterson	
Total - 7		

The Chair declared the Senate had adopted the Senate Resolution.

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR BARROW

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to suspend all statewide assessments for the 2019-2020 school year due to the imminent threat posed to the citizens of Louisiana by COVID-19.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

Total - 0		
	ABSENT	
Barrow	Connick	Tarver
Boudreaux	Milligan	
Carter	Peterson	
Total - 7		

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

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

May 15, 2020

SENATE CONCURRENT RESOLUTION NO. 55—
BY SENATOR HEWITT**A CONCURRENT RESOLUTION**

To establish the Closed Party Primary Task Force to study and make recommendations regarding the development of a closed party primary election system applicable at the federal, state, and local levels, beginning with the 2022 congressional elections.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Talbot
Cloud	Luneau	Ward
Fesi	McMath	White
Fields	Mills, F.	Womack
Foil	Mills, R.	
Harris	Mizell	
Total - 31		

NAYS

Smith		
Total - 1		
		ABSENT
Barrow	Connick	Tarver
Boudreaux	Milligan	
Carter	Peterson	
Total - 7		

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

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR HEWITT AND REPRESENTATIVE GAROFALO**A CONCURRENT RESOLUTION**

To urge and request the Coastal Protection and Restoration Authority and the Department of Wildlife and Fisheries to cooperate in developing projects and programs to rehabilitate the productivity of the oyster resource, promote the viability of the oyster industry in Louisiana, assist the oyster industry with responding to a changing coast, and address competing uses for coastal water bottoms, including integrated coastal protection.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith

Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

NAYS

Total - 0		ABSENT
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Barrow	Connick	Tarver
Boudreaux	Milligan	
Carter	Peterson	
Total - 7		

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 Price 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 and to specifically start with Senate Bill No. 180.

Without objection, so ordered.

SENATE BILL NO. 180—
BY SENATOR MORRIS**AN ACT**

To amend and reenact R.S. 22:512(16), 513, 519, 1545(C)(2), and 1571(E)(1) and to enact R.S. 22:1545(C)(7), relative to title insurers; to provide definitions; to provide for qualifications and licensing of individual and agency title insurers; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 180 by Senator Morris

AMENDMENT NO. 1

On page 2, line 18, change "agent" to "agency"

AMENDMENT NO. 2

On page 3, line 4, change "one year" to "one-year"

AMENDMENT NO. 3

On page 3, line 19, change "agent" to "agency"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock

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Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Ward
Fesi	McMath	White
Fields	Mills, F.	Womack
Foil	Mills, R.	
Harris	Mizell	
Total - 31		

NAYS

Total - 0	ABSENT
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Barrow	Connick	Talbot
Boudreaux	Milligan	Tarver
Carter	Peterson	
Total - 8		

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

SENATE BILL NO. 183— BY SENATOR HARRIS

AN ACT

To amend and reenact R.S. 18:428(A) and (F), and to enact R.S. 18:428(G) and 1309(A)(5); relative to law enforcement assistance at polling places under certain circumstances; to provide for law enforcement officers to assist in preserving order; to provide for the protection of election officials; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

NAYS

Total - 0	ABSENT
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Barrow	Connick	Tarver
Boudreaux	Milligan	
Carter	Peterson	
Total - 7		

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

SENATE BILL NO. 271— BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 22:1872(23), 1873(C), 1874(A)(3), and 1878, relative to the Health Care Consumer Billing and Disclosure Protection Act; to provide for definitions; to provide relative to billing by contracted healthcare providers; and to provide for related matters.

Floor Amendments

Senator Johns proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johns to Engrossed Senate Bill No. 271 by Senator Johns

AMENDMENT NO. 1

On page 2, line 1, after "authorized by" and before "this" insert "an agreement with the provider under"

On motion of Senator Johns, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Henry	Morris
Abraham	Hensgens	Peacock
Allain	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Cathey	Lambert	Smith
Cloud	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Harris	Mizell	
Total - 32		

NAYS

Total - 0	ABSENT
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Barrow	Connick	Tarver
Boudreaux	Milligan	
Carter	Peterson	
Total - 7		

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

SENATE BILL NO. 365— BY SENATOR CLOUD

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:221.6(D), 2926(B), and 3006, and R.S. 23:76(C)(8), and to enact R.S. 17:2925(C), 2926(A)(3), and 2930(D), relative to individual graduation plans; to require that certain information relative to demand jobs be provided to students; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

May 15, 2020

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 365 by Senator Cloud

AMENDMENT NO. 1

On page 1, line 5, change "demand" to "high-demand"

AMENDMENT NO. 2

On page 2, line 4, change "demand" to "high-demand"

AMENDMENT NO. 3

On page 2, line 14, change "demand" to "high-demand"

AMENDMENT NO. 4

On page 2, line 26, change "demand" to "high-demand"

AMENDMENT NO. 5

On page 2, line 28, change "demand" to "high-demand"

AMENDMENT NO. 6

On page 3, lines 9-10, change "high demand, high wage" to "high-demand, high-wage"

AMENDMENT NO. 7

On page 3, line 17, change "demand" to "high-demand"

AMENDMENT NO. 8

On page 4, line 5, change "demand" to "high-demand"

AMENDMENT NO. 9

On page 4, line 17, change "demand" to "high-demand"

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

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

SENATE BILL NO. 373—

BY SENATOR CLOUD

AN ACT

To amend and reenact R.S. 22:1964(20)(a) and (b), relative to unfair or deceptive methods, acts, and practices in the business of insurance; to provide with respect to the failure to provide claims history within ten business days of receipt of the insured's written request; to include mail, fax, and email as methods for submitting the request; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Bernard	Hewitt	Pope
Bouie	Jackson	Price
Cathey	Johns	Reese
Cloud	Lambert	Smith
Connick	Luneau	Ward
Fesi	McMath	White
Fields	Mills, F.	Womack
Foil	Mills, R.	
Total - 31		

NAYS

Total - 0

ABSENT

Barrow	Milligan	Tarver
Boudreaux	Peterson	White
Carter	Talbot	
Total - 8		

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

SENATE BILL NO. 517— (Substitute of Senate Bill No. 388 by Senator Fields)

BY SENATORS FIELDS, ABRAHAM, ALLAIN, BERNARD, BOUIE, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, WARD, WHITE AND WOMACK
AN ACT

To amend and reenact R.S. 23:1233, relative to law enforcement officers; to provide relative to workers' compensation weekly death benefit of the surviving spouse; to allow continuation of benefits upon remarriage; and to provide for related matters.

Floor Amendments

Senator Fred Mills sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 517 by Senator Fields

AMENDMENT NO. 1

On page 2, line 5, after "Subpart D" delete the remainder of the line and insert "of this Part"

AMENDMENT NO. 2

On page 2, line 6, delete "the Chapter"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hensgens	Peacock
Bernard	Hewitt	Pope
Bouie	Jackson	Price
Cathey	Johns	Reese
Cloud	Lambert	Smith
Connick	Luneau	Ward
Fesi	McMath	White
Fields	Mills, F.	Womack
Foil	Mills, R.	
Total - 32		

NAYS

Total - 0		
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ABSENT

Barrow	Milligan	Tarver
Boudreaux	Peterson	White
Carter	Talbot	
Total - 7		

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

Rules Suspended

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 15, 2020

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. 202	HB No. 220	HB No. 284
HB No. 412	HB No. 583	HB No. 691
HB No. 736	HB No. 758	HB No. 97
HB No. 442	HB No. 477	HB No. 514
HB No. 607	HB No. 6	HB No. 29
HB No. 57	HB No. 65	HB No. 77
HB No. 89	HB No. 110	HB No. 111
HB No. 164	HB No. 181	HB No. 184

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 6— BY REPRESENTATIVE GREGORY MILLER AN ACT

To amend and reenact R.S. 49:1401, relative to reports by agencies in the executive branch of state government; to repeal provisions providing for the automatic expiration of requirements for such reports and related provisions for extending such requirements; to provide for notification concerning such reports; to provide for evaluation of reporting requirements by legislative committees; and to provide for related matters.

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

HOUSE BILL NO. 29— BY REPRESENTATIVE BACALA AN ACT

To amend and reenact R.S. 14:403.3(A) and R.S. 40:2521, relative to reports of missing children; to provide relative to the duty of law enforcement upon receipt of reports of missing children; to provide relative to the entities to which the law enforcement agency is required and permitted to report; to provide relative to the entry of certain information into the National Crime Information Center's database; to provide relative to the time period within which the entry and reporting occur; and to provide for related matters.

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

HOUSE BILL NO. 57— BY REPRESENTATIVE MUSCAROLO AN ACT

To enact Code of Criminal Procedure Article 404(I), relative to jury commissions; to provide for the functions of the jury commission in the parish of Tangipahoa; to transfer the functions of the jury commission to the clerk of court of Tangipahoa Parish; and to provide for related matters.

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

HOUSE BILL NO. 65— BY REPRESENTATIVE DWIGHT AN ACT

To amend and reenact R.S. 14:139.1(C), relative to the crime of political payroll padding; to provide relative to the exceptions to the crime of political payroll padding by a sheriff; to provide for additional exceptions when no opponent qualifies to run against an incumbent sheriff or when an incumbent sheriff's reelection has been officially declared; and to provide for related matters.

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

HOUSE BILL NO. 77— BY REPRESENTATIVE DEVILLIER AN ACT

To enact Subpart (2) of Part II of Chapter 5 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:574.14, and Code of Criminal Procedure Article 895(P), relative to supervision of persons on probation or parole; to provide relative to the reporting requirements of persons on probation or parole; to authorize the use of certain technology to comply with reporting requirements; to provide certain specifications for the technology; to provide relative to when the technology may be used; to authorize the Department of Public Safety and Corrections to promulgate certain rules; and to provide for related matters.

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

HOUSE BILL NO. 89— BY REPRESENTATIVE JAMES AN ACT

To amend and reenact R.S. 40:964(Schedule II)(A)(1)(introductory paragraph) and (E)(3) and to enact R.S. 40:964(Schedule I)(A)(68) through (71), (D)(6) and (7), (Schedule IV)(B)(2.1) and (25.1) and (D)(14), and (Schedule V)(D)(5) and (6), relative to the Uniform Controlled Dangerous Substances Law; to add certain substances to Schedules I, II, IV, and V; to provide relative to substances of vegetable origin or chemical synthesis in Schedule II; and to provide for related matters.

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

HOUSE BILL NO. 97— BY REPRESENTATIVE LACOMBE AN ACT

To amend and reenact R.S. 39:112(E)(2)(c), relative to capital outlay; to provide with respect to local match requirements for projects by non-state entities; to provide for certain limitations; to provide for applicability; to provide for an effective date; and to provide for related matters.

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

May 15, 2020

HOUSE BILL NO. 110—BY REPRESENTATIVE GREGORY MILLER
AN ACT

To amend and reenact R.S. 18:1408, relative to actions objecting to candidacy and contesting elections; to provide relative to the notification of the defendant in such an action; and to provide for related matters.

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

HOUSE BILL NO. 111—BY REPRESENTATIVES DESHOTEL AND HARRIS
AN ACT

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

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

HOUSE BILL NO. 164—BY REPRESENTATIVE DAVIS
AN ACT

To amend and reenact R.S. 40:1133.14(B)(introductory paragraph) and (2), (C), and (E), 1135.3(C)(1)(c), and 1135.8(C)(4)(f), relative to emergency medical services; to provide for duties of emergency medical personnel in certain situations in which the life of a patient is threatened; to provide for protocols for rendering emergency medical services in such situations; to provide for approval of such protocols by emergency medical services medical directors; to provide relative to requirements for licensure as an ambulance provider; to provide relative to requirements for licensure as an air ambulance service; and to provide for related matters.

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

HOUSE BILL NO. 181—

BY REPRESENTATIVE RISER

AN ACT

To amend and reenact R.S. 30:961(E), relative to cooperative endeavor agreements for the withdrawal of surface water; to extend the time for entering cooperative endeavor agreements for withdrawal of surface water; to provide for terms, conditions, and requirements; and to provide for related matters.

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

HOUSE BILL NO. 184—

BY REPRESENTATIVE VILLIO

AN ACT

To authorize and provide for the lease of certain state property; to authorize the lease of certain state property in the city of Kenner, in Jefferson Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 202—

BY REPRESENTATIVE HORTON

AN ACT

To amend and reenact R.S. 47:1525(B)(1)(introductory paragraph) and (E) and to enact R.S. 47:1525(B)(1)(i), (j), and (k), relative to the Louisiana Tax Institute; to provide that the reports, studies, and recommended publications of the Louisiana Tax Institute are distributed through the Department of Revenue

instead of the Department of State; to provide for the membership of the institute; and to provide for related matters.

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

HOUSE BILL NO. 220—

BY REPRESENTATIVE MIKE JOHNSON

AN ACT

To amend and reenact R.S. 37:2162(J), relative to civil proceedings initiated by the state licensing board for contractors; to remove venue restrictions; to provide for jurisdiction; 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 REPRESENTATIVE DAVIS

AN ACT

To amend and reenact R.S. 6:2(2), 452, and 532(6) and to enact R.S. 6:453 and 454, relative to financial institutions; to provide for loan production offices; to provide for deposit production offices; to provide definitions; to require written notification; to provide for objections; to provide for powers of the commissioner; to provide for rules and regulations; to provide for permissible activity; to provide for compliance; to provide for combined offices; to provide for electronic financial terminals; and to provide for related matters.

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

HOUSE BILL NO. 412—

BY REPRESENTATIVE ZERINGUE

AN ACT

To amend and reenact R.S. 39:100.31(B) and to enact R.S. 39:100.31(C), relative to the State Emergency Response Fund; to provide for authorized uses of monies in the fund; to provide for legislative intent with respect to prior Acts of the legislature; and to provide for related matters.

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

HOUSE BILL NO. 442—

BY REPRESENTATIVE MCFARLAND

AN ACT

To amend and reenact R.S. 32:387(C)(3)(d)(ii)(bb) and (cc), relative to timber harvest season permits; to modify the total excess gross axle weight authorized for vehicles owned or operated by a permittee; to designate a maximum speed limit authorized on the public highways of this state; and to provide for related matters.

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

HOUSE BILL NO. 477—

BY REPRESENTATIVE IVEY

AN ACT

To enact R.S. 39:199.1, relative to technology procurement; to authorize alternative procedures for procurement of certain technology; to provide limitations and requirements; to provide relative to the duties and authority of the Joint Legislative Committee on Technology and Cybersecurity and the Joint Legislative Committee on the Budget; and to provide for related matters.

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

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May 15, 2020

12th DAY'S PROCEEDINGS

HOUSE BILL NO. 514—

BY REPRESENTATIVE WILLARD

AN ACT

To amend and reenact R.S. 32:1(4), (38), (40), and (41) and 203(C) and to enact R.S. 32:1(95) and 204 through 204.4, relative to electric-assisted bicycles; to provide for definitions; to provide for the operation, rights, requirements, and restrictions applicable to electric-assisted bicycles; and to provide for related matters.

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

HOUSE BILL NO. 583—

BY REPRESENTATIVE MINCEY

AN ACT

To amend and reenact R.S. 9:2347(M), relative to public trusts; to provide with respect to the approval of certain authorized public functions or purposes; to require the approval of certain governing authorities under certain circumstances; to provide for certain requirements; and to provide for related matters.

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

HOUSE BILL NO. 607—

BY REPRESENTATIVE HODGES

AN ACT

To amend and reenact R.S. 32:431.1(E)(2) and (3), relative to documentation of school attendance for a minor's application for certain driver's licenses; to authorize the presentation of documentation of school attendance by a minor's parents or legal guardians; to provide for the documentation evidencing the requirements for an emancipated minor; and to provide for related matters.

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

HOUSE BILL NO. 691—

BY REPRESENTATIVE LYONS

AN ACT

To reenact R.S. 30:2551 and 2552(A) and (C), to amend and reenact R.S. 30:2552(B) and Section 22 of Act No. 612 of the 2018 Regular Session, and to repeal R.S. 30:2552(A), (B), and (C) as amended by Section 9 of Act No. 612 of the 2018 Regular Session, relative to brownfields cleanup and redevelopment; to reinstate the Brownfields Cleanup Revolving Loan Fund and program; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 736—

BY REPRESENTATIVE GARY CARTER

AN ACT

To amend and reenact R.S. 47:2132(A), relative to statutory impositions; to authorize refunds of statutory impositions under certain circumstances; to provide for certain requirements and limitations; to provide for applicability; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 758—

BY REPRESENTATIVE ZERINGUE

AN ACT

To amend and reenact R.S. 38:2191(C), relative to payment of obligations arising under public contracts; to provide for limited waiver by contract of certain provisions governing payments under contract; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON NATURAL RESOURCES

Senator Bob Hensgens, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

May 15, 2020

To the President and Members of the Senate:

I am directed by your Committee on Natural Resources to submit the following report:

SENATE BILL NO. 440—

BY SENATOR FESI

AN ACT

To amend and reenact R.S. 49:214.36(E), the introductory paragraph of R.S. 49:214.36(J) and (J)(1), and (2), relative to the Coastal Zone Management Program; to provide for enforcement actions; to provide for the imposition of civil liability, the assessment of damages, and court orders; to provide for distribution of monies collected; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
BOB HENSGENS
Chairman

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

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

SENATE BILL NO. 440—

BY SENATORS FESI AND ALLAIN

AN ACT

To amend and reenact R.S. 49:214.36(E), the introductory paragraph of R.S. 49:214.36(J) and (J)(1), and (2), relative to the Coastal Zone Management Program; to provide for enforcement actions; to provide for the imposition of civil liability, the assessment of damages, and court orders; to provide for distribution of monies collected; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 440 by Senator Fesi

AMENDMENT NO. 1

On page 1, line 2, after "49:214.36(E)" delete the remainder of the line and at the beginning of line 3, delete "and (J)(1), and (2)" and insert "and (J)"

AMENDMENT NO. 2

On page 1, line 5, after "collected;" insert "to provide for the use of funds;"

AMENDMENT NO. 3

On page 1, line 8, after "49:214.36(E)" delete the remainder of the line and at the beginning of line 9, delete "(J)(1), and (2)" and insert "and (J)"

May 15, 2020

AMENDMENT NO. 4

On page 2, delete lines 5 through 24 in their entirety and insert the following:

"J. The monies collected by the state received under the provisions of this Section shall be deposited as follows:

(1) The monies collected by the secretary or the attorney general for violations relating to use of state concern shall be used for the following purposes only in the proportions stated:

(a) Fifty percent of the monies collected shall be used to reimburse the Department of Natural Resources for the cost of enforcing the provisions of this Subpart, and shall be deposited in the Coastal Resources Trust Fund, as provided in R.S. 49:214.40.

(b) Twenty-five percent of the monies collected shall be placed in local government mitigation banks established in accordance with R.S. 49:214.41 and the rules and regulations adopted thereunder a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Such funds shall only be used for projects consistent with Paragraph (O)(2) of this Section within or for the benefit of areas within the geographic borders of that parish.

(c) Twenty-five percent of the monies collected shall be placed in the Wetlands Conservation and Restoration Fund established in Article VII, Section 10.2 of the Constitution of Louisiana Coastal Protection and Restoration Fund established in Article VII, Section 10.2 of the Constitution of Louisiana and used consistent with Paragraph (O)(2) of this Section.

(2) The monies collected by the secretary, the attorney general, an appropriate district attorney, or a local government with an approved program for violations relating to a use of local concern shall be placed in local government mitigation banks established in accordance with R.S. 49:214.41 and the rules and regulations adopted thereunder. Each local government's mitigation bank shall be credited one hundred percent of the monies collected for violations relating to a use of local concern occurring within its geographic borders, except that for violations occurring within the geographic borders of two or more local governments the monies shall be divided on a pro rata basis and deposited accordingly in the local government's mitigation banks. In the event there is no local government mitigation bank in the parish in which the adverse impact is located, the monies shall be deposited in the Wetlands Conservation and Restoration Fund established in Article VII, Section 10.2 of the Constitution of Louisiana, and can a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Such funds shall only be used for mitigation projects consistent with Paragraph (O)(2) of this Section within or for the benefit of areas within the geographic borders of that local government.

(3) Notwithstanding any provision of this Section to the contrary, any monies received under Subsection E of this Section in settlement or by final judgment for assessed damages, restoration costs, actual restoration of areas disturbed, or reasonable and proper sanctions or any monies received under Subsection D of this Section in settlement or by final judgment shall be distributed based on the type of use of the coastal zone involved in the action as follows:

(a) For uses of state concern the monies shall be used consistent with Paragraph (O)(2) of this Section and shall be deposited as follows:

(i) Fifty percent of the monies collected shall be placed into the Coastal Protection and Restoration Fund.

(ii) Twenty-five percent of the monies collected shall be placed into a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Such funds shall only be used for projects selected by the local governing authority. Unless otherwise prohibited by law, preferences may be given to local contractors for project planning, permitting, and implementation for such selected projects.

(iii) The remaining twenty-five percent of the monies collected shall be placed into the Coastal Protection and Restoration Fund to be used to match funding for projects selected by local governing authorities pursuant to Subparagraph (ii) of this Paragraph and that are approved in coastal master plan developed in accordance with R.S. 49:214.5.3. The match

funding provided for in this Subparagraph shall be at a minimum dollar for dollar match. The Coastal Protection and Restoration Authority shall promulgate rules and regulations in accordance with the Administrative Procedure Act in order to provide for submission and approval of plans, projects, policies or programs for funding under this Item.

(b) For uses of local concern, all of the monies collected shall be deposited into a restricted fund administered by the parish governing authority of the parish or parishes in which the adverse impact related to the use is located. Such funds shall only be used for projects selected by the local governing authority that are consistent with Paragraph (O)(2) of this Section."

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

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 15, 2020

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. 53—

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

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of the Honorable Dudley Anthony "Butch" Gautreaux Jr., renowned public servant, beloved gentleman, and a former member of both the Louisiana House of Representatives and the Louisiana Senate, and to celebrate his service and devotion to the law and the welfare of the people of the state of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 58—

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

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Melinda Waller Mangham, educator.

SENATE CONCURRENT RESOLUTION NO. 60—

BY SENATOR JOHNS AND REPRESENTATIVE DWIGHT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Michael "Tubby" Lee Bergeron Sr.

Respectfully submitted,
SHARON W. HEWITT
Chairman

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

May 15, 2020

ATTENDANCE ROLL CALL**PRESENT**

Mr. President	Harris	Mizell
Abraham	Henry	Morris
Allain	Hengsens	Peacock
Bernard	Hewitt	Pope
Bouie	Jackson	Price
Cathey	Johns	Reese
Cloud	Lambert	Smith
Connick	Luneau	Talbot
Fesi	McMath	Ward
Fields	Mills, F.	White
Foil	Mills, R.	Womack
Total - 33		

ABSENT

Barrow	Carter	Peterson
Boudreaux	Milligan	Tarver
Total - 6		

Leaves of Absence

The following leaves of absence were asked for and granted:

Barrow	1 Day	Boudreaux	1 Day
Carter	1 Day	Milligan	1 Day
Peterson	1 Day	Tarver	1 Day

Adjournment**Announcements**

The following committee meetings for May 18, 2020, were announced:

Finance	10:00 A.M.	Room A
Local and Mun. Affairs	9:00 A.M.	Room E

On motion of Senator Talbot, at 11:15 o'clock A.M. the Senate adjourned until Monday, May 18, 2020, at 2:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON
Secretary of the Senate

DIANE O' QUIN
Journal Clerk