

**THE OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA  
FIRST DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Monday, June 1, 2020

The Senate was called to order at 6:10 o'clock P.M. by Hon. Patrick Page Cortez, President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

PRESENT

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

Total - 38

ABSENT

Boudreaux  
Total - 1

The President of the Senate announced there were 38 Senators present and a quorum.

**Prayer**

The prayer was offered by Senator Beth Mizell, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

**Petitions, Memorials and  
Communications**

The following petitions, memorials and communications were received and read:

**STATE OF LOUISIANA  
LEGISLATURE OF LOUISIANA**

**PROCLAMATION**

By virtue of the authority vested in us by Paragraph B of Section 2 of Article III of the Constitution of Louisiana and by R.S. 24:11, upon receipt of the written petition of a majority of the elected members of each house, Clay Schexnayder, Speaker of the House and Patrick Page Cortez, President of the Senate,

**HEREBY CALL AND CONVENE  
THE LEGISLATURE OF THE LOUISIANA  
INTO EXTRAORDINARY SESSION**

to convene at the State Capitol, in the city of Baton Rouge, Louisiana, during thirty (30) calendar days, beginning at 6:01 p.m. on the 1<sup>st</sup> day of June, 2020, and ending no later than 6:00 p.m. on the 30<sup>th</sup> day of June, 2020. The power to legislate at such session shall be limited, under penalty of nullity, to the following specifically enumerated objects:

- ITEM NO. 1:** To legislate to provide for the ordinary operating expenses of state government for the Fiscal Year 2020-2021.
- ITEM NO. 2:** To legislate to provide for making supplemental appropriations for the Fiscal Year 2019-2020.
- ITEM NO. 3:** To legislate relative to appropriating funds for the expenses of the legislature for the Fiscal Year 2020-2021.
- ITEM NO. 4:** To legislate relative to appropriating funds for the expenses of the judiciary for the Fiscal Year 2020-2021.
- ITEM NO. 5:** To legislate to provide for the ancillary expenses of state government for the Fiscal Year 2020-2021.
- ITEM NO. 6:** To legislate to provide for the Revenue Sharing Distribution for the Fiscal Year 2020-2021.
- ITEM NO. 7:** To legislate with regard to the capital outlay budget and the capital outlay program for the Fiscal Year 2020-2021.
- ITEM NO. 8:** To legislate with regard to the Omnibus Bond Authorization and capital improvement plan.
- ITEM NO. 9:** To appropriate funds out of the State General Fund to fund the expenses of the extraordinary session of the legislature and to provide other supplemental appropriations.
- ITEM NO. 10:** To legislate with regard to the transfer, dedication, deposit, use, and appropriation of monies in state funds.
- ITEM NO. 11:** To legislate with regard to statutory dedications.
- ITEM NO. 12:** To legislate with regard to the Hospital Stabilization Formula.
- ITEM NO. 13:** To legislate with regard to the Medicaid Trust Fund for the Elderly.
- ITEM NO. 14:** To legislate with regard to the transfer, deposit, and use of monies from the Budget Stabilization Fund.
- ITEM NO. 15:** To legislate with regard to the Louisiana Workforce Investment Council and Workforce Training.
- ITEM NO. 16:** To legislate with regard to the suspension of the corporation franchise tax.
- ITEM NO. 17:** To legislate with regard to taxation of fantasy sports contests.
- ITEM NO. 18:** To legislate with regard to eligibility requirements for Enterprise Zone Incentives, Quality Jobs Program and the Competitive Projects Payroll Incentive Program.
- ITEM NO. 19:** To legislate with regard to eligibility for Rehabilitation of Historic Structures Tax Credit, Louisiana New Markets Jobs Tax Credit, Angel

Investor Tax Credit Program, Cane River Heritage Tax Credit, Research and Development Tax Credit and the Digital Interactive Media and Software Tax Credit.

ITEM NO. 20: To legislate with regard to the net operating loss carryback provisions of corporate income tax deductions.

ITEM NO. 21: To legislate with regard to appropriating funds received from the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act.

ITEM NO. 22: To legislate with regard to emergency-related claims for unemployment compensation filed by persons whose unemployment was directly related due to the impact of COVID-19.

ITEM NO. 23: To legislate with regard to maximum driving time restrictions on commercial motor vehicle drivers during a gubernatorially declared public health emergency.

ITEM NO. 24: To legislate with regard to licensure of medical professionals during a gubernatorially declared public health emergency.

ITEM NO. 25: To legislate with regard to the suspension of commercial insurance policy audits during a gubernatorially declared public health emergency.

ITEM NO. 26: To legislate with regard to remote notarization during a gubernatorially declared public health emergency.

ITEM NO. 27: To legislate with regard to the administration and collection of sales taxes.

ITEM NO. 28: To legislate with regard to the Industrial Tax Exemption Program and payments in lieu of tax.

ITEM NO. 29: To legislate with regard to the extension of filing all state and local tax returns and penalties and interest thereto for persons and business due to a gubernatorially declared public health emergency.

ITEM NO. 30: To legislate with regard to the collection of sales tax by dealers and vendor's compensation.

ITEM NO. 31: To legislate with regard to the expansion of broadband coverage.

ITEM NO. 32: To legislate with regard to the collection of withholding taxes from unemployment benefits.

ITEM NO. 33: To legislate with regard to the creation of a Streamlining Government Commission and to provide for its authority, duties and powers.

ITEM NO. 34: To legislate with regard to the suspension of licensing requirements and fees imposed on certain businesses during a gubernatorially declared public health emergency.

ITEM NO. 35: To legislate with regard to the Louisiana Electric Utility Investment Recovery Securitization Act and securitization of certain costs during a gubernatorially declared public health emergency.

ITEM NO. 36: To legislate with regard to promotional play wagers made in casinos.

ITEM NO. 37: To legislate with regard to insurance dispute resolution and billing for health care services.

ITEM NO. 38: To legislate with regard to Medicaid coverage for home health services.

ITEM NO. 39: To legislate with regard to billing for mechanical repairs and services of a motor vehicle.

ITEM NO. 40: To legislate with regard to civil liability and motor vehicle liability coverage, general prescriptive periods for delictual actions, collateral source, prescription, jury trials, jury trial thresholds, direct actions against insurers, evidence regarding seat belts, annual rate filings by the commissioner of insurance and mandatory rate reductions.

ITEM NO. 41: To legislate with regard to fees charged to students at public postsecondary institutions.

IN WITNESS WHEREOF, We have hereunto set our hands officially and caused to be affixed the Seals of the House of Representatives and of the Senate, at the Capitol, in the city of Baton Rouge, on this 22nd day of MAY, 2020.

CLAY SCHEXANDER  
Speaker of the House of Representatives

PATRICK PAGE CORTEZ  
President of the Senate

ATTEST BY  
THE CLERK & THE SECRETARY

MICHELLE FONTENOT  
Clerk of the House of Representatives

YOLANDA J. DIXON  
Secretary of the Senate

Rules Suspended

Senator Mizell asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Senate Resolutions

Senator Mizell asked for and obtained a suspension of the rules to introduce and read Senate Resolutions a first and second time and act upon them.

SENATE RESOLUTION NO. 1

BY SENATOR MIZELL  
A RESOLUTION  
BE IT RESOLVED by the Senate of the State of Louisiana that a Committee of five be appointed to notify the House of Representatives that the Senate is now duly convened and organized and prepared to transact such business as may be brought before it.

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

In compliance with the resolution the President of the Senate appointed the following Committee:

Senators Bouie,  
Connick,  
Morris,  
Price, and  
Talbot.

**SENATE RESOLUTION NO. 2**

BY SENATOR MIZELL

A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a Committee of six be appointed to act with such a Committee as the House of Representatives may appoint to notify the Governor that the Legislature is now duly convened and organized and prepared to receive such communication as he may desire to lay before it.

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

In compliance with the resolution the President of the Senate appointed the following Committee:

Senators Barrow,  
Fesi,  
Hensgens,  
Milligan, and  
Peacock.

**Reports of Committees**

The Committee appointed to notify the Governor that the Senate had convened and was prepared to transact business reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

The Committee appointed to notify the House of Representatives that the Senate had convened and was prepared to transact business reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

**Committee from the House of Representatives**

A Committee from the House of Representatives appeared before the Bar of the Senate and informed the Senate that the House of Representatives was organized and ready to proceed with business.

**Introduction of Senate Bills and Joint Resolutions**

Senator Connick asked for and obtained a suspension of the rules to introduce and read Senate Bills and Joint Resolutions a first and second time and refer them to committee.

**SENATE BILL NO. 1—**

BY SENATOR CONNICK

AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to provide relative to limitations on jury trials; to provide for the availability of jury trials; to provide certain terms and conditions; and to provide for related matters.

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

**SENATE BILL NO. 2—**

BY SENATOR CONNICK

AN ACT

To amend and reenact Civil Code Article 3493.10 and to repeal Civil Code Article 3492; to extend the general prescriptive period for certain delictual actions; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 3—**

BY SENATOR CONNICK

AN ACT

To amend and reenact Civil Code Art. 3493.10 and Code of Civil Procedure Art. 1732(1), and to repeal Civil Code Art. 3492, relative to civil actions; to provide relative to prescriptive periods and jury trials; to extend the general prescriptive period for delictual actions; to provide with respect to jury trials; to provide certain terms, procedures, conditions, and requirements; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 4—**

BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 47:6015(J), relative to the research and development tax credit; to extend the duration for eligibility for the tax credit; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 5—**

BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 27:44(16), 205(17), and 353(8), and to enact R.S. 27:44(21.1), 205(30.1), and 353(9.1), relative to gaming; to except promotional play wagers in determining net revenue in certain gaming; and to provide for related matters.

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

**SENATE BILL NO. 6—**

BY SENATOR ALLAIN

AN ACT

To enact R.S. 47:601.1, relative to suspension of the initial corporation franchise tax and the corporation franchise tax on the first three hundred thousand dollars of taxable capital; to provide the applicable tax periods of the suspension; to provide for eligibility; and to provide for related matters.

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

**SENATE BILL NO. 7—**

BY SENATOR TALBOT

AN ACT

To enact R.S. 22:1828 and Subpart E of Part II of Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1885.1 through 1885.8, relative to health insurance; to provide for assignment of benefits; to provide for definitions; to provide for an independent process for the resolution of payment disputes between health insurance issuers and certain health care providers; to provide for applicability; to provide for criteria to be used by an independent dispute resolution entity; to provide for rulemaking; and to provide for related matters.

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

**SENATE BILL NO. 8—**

BY SENATOR TALBOT

AN ACT

To enact R.S. 22:1828 and Subpart E of Part II of Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1885.1 through 1885.8, relative to health insurance; to provide for assignment of benefits; to provide for definitions; to provide for an independent process for the resolution of payment disputes between health insurance issuers and certain health care providers; to provide for applicability; to provide for

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criteria to be used by an independent dispute resolution entity; to provide for rulemaking; and to provide for related matters.

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

**ATTENDANCE ROLL CALL**

**PRESENT**

Mr. President	Harris	Morris
Abraham	Henry	Peacock
Allain	Hensgens	Peterson
Barrow	Hewitt	Pope
Bernard	Jackson	Price
Bouie	Johns	Reese
Carter	Lambert	Smith
Cathy	Luneau	Talbot
Cloud	McMath	Tarver
Connick	Milligan	Ward
Fesi	Mills, F.	White
Fields	Mills, R.	Womack
Foil	Mizell	
Total - 38		

**ABSENT**

Boudreaux  
Total - 1

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Boudreaux      1 Day

**Announcements**

The following committee meetings for June 4, 2020, were announced:

Finance                      9:00 A.M.                      Room A

**Adjournment**

On motion of Senator Peacock, at 6:25 o'clock P.M. the Senate adjourned until Thursday, June 4, 2020, at 3:00 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