

THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
SEVENTH 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 15, 2020

The Senate was called to order at 4:05 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	Foil	Peacock
Abraham	Harris	Peterson
Allain	Henry	Pope
Bernard	Johns	Price
Boudreaux	Lambert	Reese
Bouie	Luneau	Smith
Carter	McMath	Talbot
Cathey	Milligan	Ward
Cloud	Mills, F.	White
Connick	Mills, R.	Womack
Fesi	Mizell	
Fields	Morris	
Total - 34		

ABSENT

Barrow	Hewitt	Tarver
Hensgens	Jackson	
Total - 5		

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

Prayer

The prayer was offered by Brother Rodney Wood, 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 Boudreaux, the reading of the Journal was dispensed with and the Journal of June 14, 2020, was adopted.

**Petitions, Memorials and
Communications**

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

OFFICE OF THE GOVERNOR
STATE OF LOUISIANA

June 14, 2020

Honorable Clay J. Schexnayder
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 846 of the 2020 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 846 of the 2020 Regular Session.

In its enrolled form, House Bill 846 of the 2020 Regular Session adds a new payroll incentive rebate program to the long list of incentive programs already administered by the Department of Economic Development. Unlike other incentive programs linked to payroll like Quality Jobs, which requires creation of jobs with payroll nearly three times the minimum wage, any retail or food service business in the state employing less than 50 employees would be eligible to receive this rebate if the business creates five new, minimum-wage paying jobs between May 15, 2020 and December 31, 2021. At a time when 80% of Louisianans support increasing the minimum wage, incentivizing the creation of minimum wage jobs at \$7.25 per hour is contrary to the sentiment of the people of Louisiana that our workforce should be able to earn a true living wage.

Furthermore, numerous bills similar to House Bill 846 ran not only in the last session, but are also running in this current special session without thoughtful consideration of what impact such legislation would affect the state's budget. While the fiscal note does not provide the exact amount of a decrease in collections of state general fund due to this program in the upcoming fiscal year, the eligibility requirements of the program create such a large pool of businesses that will be eligible to participate that there is potential that the cost to the state could be substantial. With so much uncertainty surrounding the state's economic stability in the wake of COVID-19, beginning a new program without truly understanding the direct effect on the upcoming fiscal year would not be prudent. I am more than happy, however, to work with authors of these measures on quality incentive programs once we know the true effects of COVID-19 on the state's economy.

Sincerely,
JOHN BEL EDWARDS
Governor

**Introduction of Senate Bills
and Joint Resolutions**

Senator Peacock 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. 28—
BY SENATOR WARD

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1732 and 1733(A), and the heading of R.S. 22:1269, to enact R.S. 9:2800.25 and R.S. 22:1269(B)(3), and to repeal R.S. 32:295.1(E), relative to liability; to provide relative to civil liability and certain civil actions; to provide relative to certain jury trials, trial procedures, damages, collateral sources, and evidence; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; 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.

June 15, 2020

SENATE BILL NO. 29—
BY SENATOR MCMATH

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1732 and 1733(A), to enact R.S. 9:2800.25, and to repeal R.S. 32:295.1(E), relative to liability; to provide relative to civil liability and certain civil actions; to provide relative to certain jury trials, trial procedures, damages, collateral sources, and evidence; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; 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.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 13—
BY SENATOR HARRIS

A RESOLUTION

To commend the Louisiana Tumor Registry, the faculty of the Louisiana State University Health Sciences Center in New Orleans, and the School of Public Health for their significant contributions to the fight against cancer.

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

SENATE RESOLUTION NO. 14—
BY SENATOR PEACOCK

A RESOLUTION

To commend Walter "Walt" Leger III for his dedicated service to the citizens of New Orleans and the state of Louisiana.

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

Introduction of
Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR PRICE

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 21 of the Joint Rules of Order of the Senate and House of Representatives, relative to the development and maintenance of an internet site to provide information regarding the redistricting activities of the legislature; to provide for minimum content for the site; to provide relative to certain capabilities of the site; and to provide for the duties of the presiding officers of the legislature relative thereto.

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

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR PRICE

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 11 of the Joint Rules of Order of the Senate and House of Representatives, relative to the establishment of a special advisory committee to study and make recommendations regarding reapportionment; to provide for the membership, powers, and duties of the special advisory committee.

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

Senate Bills and Joint Resolutions on
Second Reading to be Referred

SENATE BILL NO. 27—
BY SENATOR WHITE

AN ACT

To amend and reenact Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:101 through 109, relative to state government; to create the

Streamlining Government Commission; to provide for the membership, powers, duties, and functions of the commission; to provide for recommendations of the commission; to provide procedures and deadlines for reporting; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Senate and Governmental Affairs.

Senate Concurrent Resolutions on
Second Reading

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR ROBERT MILLS

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana R.S. 32:295.1(E) relative to the exclusion of evidence of failure to wear a safety belt.

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

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR ROBERT MILLS

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana R.S. 22:333(E) and 1269(B) relative to the right of direct action against an insurer in certain circumstances.

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

SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATOR ROBERT MILLS

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the Code of Civil Procedure Article 1732(A)(1) relative to the jury trial threshold for a petitioner's cause of action.

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

Message from the House

ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS

June 11, 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. 44 HB No. 57

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

House Bills and Joint Resolutions

Senator Peacock asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 44—

BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact Civil Code Articles 3492 and 3493.10, Code of Civil Procedure Article 1732, and R.S. 22:1269(B), to enact Code of Civil Procedure Article 1732.1 and R.S. 9:2800.27, and to repeal R.S. 32:295.1(E), relative to liability; to provide relative to civil liability and to motor vehicle liability coverage; to extend the general prescriptive period for delictual actions involving motor vehicle accidents; to prohibit the court from awarding a plaintiff the amount of medical expenses reduced or paid by a collateral source; to provide relative to collateral source, prescription, jury trials, and jury trial thresholds under certain circumstances; to provide relative to the right of direct action against an insurer; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; to require certain annual rate filings with the commissioner of insurance; to provide for a rate reduction under certain circumstances; 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.

HOUSE BILL NO. 57—

BY REPRESENTATIVE SCHEXNAYDER
AN ACT

To amend and reenact Code of Civil Procedure Articles 1732 and 4873(1) and Code of Evidence Article 409, to enact R.S. 13:3737, and to repeal R.S. 32:295.1(E), relative to civil actions; to lower the jury trial threshold; to limit the transfer of cases from courts of limited jurisdiction to district courts; to authorize the admissibility of evidence of medical expenses paid under certain circumstances; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; 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.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator R. L. Bret Allain II, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 15, 2020

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

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.

Reported with amendments.

SENATE BILL NO. 17—

BY SENATOR HEWITT AND REPRESENTATIVE RISER
AN ACT

To amend and reenact R.S. 47:6020(G), relative to the Angel Investor Tax Credit Program; to extend the application period

for eligibility for the tax credit; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 21—

BY SENATOR MCMATH
AN ACT

To amend and reenact R.S. 47:306(A)(3)(a), relative to the compensation of persons required to collect state sales and use tax; to provide for the amount of compensation persons required to collect state sales and use tax may deduct for the purpose of remitting sales and use taxes; to provide for certain requirements and limitations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 24—

BY SENATOR HARRIS
AN ACT

To amend and reenact R.S. 47:6020(D)(2)(a) and (G) and to enact R.S. 47:6020(H), relative to the Angel Investor Tax Credit; to authorize an enhanced tax credit for certain eligible investments; to provide for certain limitations and eligibility requirements; to extend the termination date of the program; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 26—

BY SENATOR HEWITT
AN ACT

To amend and reenact R.S. 51:2453(2)(c)(i) and to enact R.S. 51:2453(2)(b)(ix), relative to the Quality Jobs Program; to authorize certain businesses to participate in the Quality Jobs Program; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
R. L. BRET ALLAIN II
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Karen Carter Peterson, Chairwoman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 15, 2020

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

SENATE BILL NO. 16—

BY SENATOR ABRAHAM
AN ACT

To amend and reenact R.S. 33:2759(A)(6) as enacted by Act No. ___ of the 2020 Regular Session of the legislature, relative to ad valorem tax exemptions; to provide relative to procedures for the validity of certain cooperative endeavor agreements; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KAREN CARTER PETERSON
Chairwoman

June 15, 2020

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 12— BY SENATOR FESI

A JOINT RESOLUTION

Proposing to add Article VII, Section 10(F)(4)(i) and Part V of Article VII, to be comprised of Section 28, of the Constitution of Louisiana, relative to unclaimed property funds; to provide for the creation of a special trust fund; to provide for the dedication and credit of unclaimed property monies; to provide for the investment, administration, and use of the monies in the special trust fund; to exempt the monies in the fund from reduction in certain circumstances; to provide for certain reporting requirements; to provide for appropriation of monies in the special fund; to provide for an effective date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 18— BY SENATOR FESI

AN ACT

To enact Subpart U of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.161, relative to unclaimed property; to provide for the dedication and credit of unclaimed property monies; to provide for the creation of a special fund; to provide for the investment and administration of the money in the special fund; to provide for the use of money in the special fund; to provide for reporting requirements; and to provide for related matters.

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

SENATE BILL NO. 20— BY SENATOR WHITE

AN ACT

To enact Subpart Q of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.121, relative to special funds; to create the Fiscal Year 2018-2019 Surplus Fund in the state treasury; to provide relative to the transfer, dedication, deposit, and use, as specified, of the Fiscal Year 2019 Surplus Fund; to provide for an effective date; and to provide for related matters.

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

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:

June 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 Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 10— BY SENATORS PEACOCK AND MILLIGAN A RESOLUTION

To commend the 2020 Louisiana High School Athletic Association powerlifting teams that were at the top of their divisions at the end of the season.

SENATE RESOLUTION NO. 11—

BY SENATOR CARTER

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the passing of Don "Coach Watt" Nicholas Wattigny.

Respectfully submitted, SHARON W. HEWITT Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 15, 2020

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 Bills and Joint Resolutions:

HOUSE BILL NO. 2—

BY REPRESENTATIVE BISHOP AND SENATOR ALLAIN AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

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

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Position, Name. Lists present members: Mr. President, Abraham, Allain, Barrow, Bernard, Boudreaux, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Fields, Foil, Harris, Henry, Johns, Lambert, Luneau, McMath, Milligan, Mills, F., Mills, R., Mizell, Morris, Peacock, Peterson, Pope, Price, Reese, Smith, Talbot, Tarver, Ward, White, Womack.

Total - 36

ABSENT

Table with 3 columns: Name, Position, Name. Lists absent members: Hensgens, Hewitt, Jackson.

Total - 3

Leaves of Absence

The following leaves of absence were asked for and granted:

Hensgens	1 Day	Hewitt	1 Day
Jackson	1 Day		

Adjournment

On motion of Senator Talbot, at 4:40 o'clock P.M. the Senate adjourned until Tuesday, June 16, 2020, at 1:00 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

