

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

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**THIRD DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 10, 2019

The Senate was called to order at 9:50 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	Fannin	Peterson
Allain	Hensgens	Price
Appel	Hewitt	Riser
Barrow	Johns	Smith, G.
Bishop	Long	Thompson
Boudreaux	Luneau	Walsworth
Carter	Mills	Ward
Claitor	Mizell	White
Cortez	Morrish	
Erdey	Peacock	
Total - 28		

ABSENT

Chabert	LaFleur	Morrell
Colomb	Lambert	Smith, J.
Donahue	Martiny	Tarver
Gatti	Milkovich	
Total - 11		

The President of the Senate announced there were 28 Senators present and a quorum.

**Prayer**

The prayer was offered by Reverend 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 Peterson, the reading of the Journal was dispensed with and the Journal of April 9, 2019, was adopted.

**Introduction of Senate Bills  
and Joint Resolutions**

Senator Long 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. 223—**  
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 47:287.732(B)(1), 293(10), and 1675(G), and to enact R.S. 47:287.732(B)(6), 287.732.2, 293(9)(a)(xviii), 297.14, and 1675(F)(4), relative to income taxation of Subchapter S corporations and other flow through entities; to reduce the tax rates applicable to the income of Subchapter S corporations that elect to be taxed at the corporation level; to authorize certain flow through entities not taxed as corporations to elect to file as corporations for state income tax purposes; to provide for a modification to exclude certain Subchapter S corporation and flow through income from income subject to state individual income tax; to provide for tax credits earned by Subchapter S corporations and other flow through entities; 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. 224—**  
BY SENATOR BOUDREAU

AN ACT

To amend and reenact R.S. 47:6301(A)(1), (B)(1)(c)(v), (ix), and (x), relative to the credit for donations to school tuition organizations; to provide for timing and distribution of scholarship payments; to provide relative to the annual report; 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. 225—**  
BY SENATOR FANNIN

AN ACT

To enact R.S. 47:302(BB)(110), 305.24, 321(P)(111), 321.1(I)(111), and 331(V)(111), relative to state sales and use tax exemptions; to provide a sales tax exemption for student farmers for feed, seed, and fertilizer; to provide for effectiveness; 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.

**Introduction of Senate Resolutions**

Senator Morrish asked for and obtained a suspension of the rules to read Senate Resolutions a first and second time.

**SENATE RESOLUTION NO. 16—**  
BY SENATOR MORRISH

A RESOLUTION

To designate November 2019 as "School Psychology Awareness Month".

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

**SENATE RESOLUTION NO. 17—**  
BY SENATOR WARD

A RESOLUTION

To congratulate Matthew Thomas Flynn of Erwinville upon his achievement of the rank of Eagle Scout and to commend him for his outstanding community service.

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

**SENATE RESOLUTION NO. 18—**  
BY SENATOR CARTER

A RESOLUTION

To commend Sigma Gamma Rho Sorority, Inc. for recognizing women for their personal accomplishments and their contributions for community change.

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

April 10, 2019

SENATE RESOLUTION NO. 19—

BY SENATOR BARROW

A RESOLUTION

To commend ExxonMobil for one hundred ten years of partnership and progress with Louisiana and does hereby recognize Monday, April 15, 2019, as ExxonMobil Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 20—

BY SENATOR ERDEY

A RESOLUTION

To designate the week of September 3rd through 9th, 2019, as Louisiana Craft Spirits Week in Louisiana.

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

SENATE RESOLUTION NO. 21—

BY SENATOR PETERSON

A RESOLUTION

To commend Nikki Leali on being named a State Honoree in Louisiana for the 2019 Prudential Spirit of Community Awards program.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATOR ERDEY

A CONCURRENT RESOLUTION

To designate May 28, 2019, as "Certified Louisiana Day".

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

SENATE CONCURRENT RESOLUTION NO. 29—

BY SENATOR ERDEY AND REPRESENTATIVE POPE

A CONCURRENT RESOLUTION

To commend Hailey Enamorado on being named a Distinguished Finalist in Louisiana for the 2019 Prudential Spirit of Community Awards program.

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

SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATOR BARROW

A CONCURRENT RESOLUTION

To recognize Baton Rouge North Economic Development District's celebration of "National Economic Development Week", May 6-11, 2019.

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

SENATE CONCURRENT RESOLUTION NO. 31—

BY SENATOR BARROW

A CONCURRENT RESOLUTION

To designate the Louisiana Department of Health as the lead agency over the Interagency Heroin and Opioid Coordination Plan.

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

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATOR THOMPSON AND REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To commend the service and contributions of first responders in Louisiana and designate April 30, 2019, as First Responders Appreciation Day at the Louisiana State Capitol.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Health to study the use of scrambler therapy as an opioid alternative for the treatment of pain.

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

SENATE CONCURRENT RESOLUTION NO. 26—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To recognize Thursday, April 25, 2019, as Junior League Day at the state capitol and to commend the Junior League for its contributions to the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Mizell
Allain	Gatti	Morrish
Appel	Hensgens	Peacock
Barrow	Hewitt	Peterson
Bishop	Johns	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Thompson
Claitor	Luneau	Walsworth
Cortez	Milkovich	Ward
Erdey	Mills	White

Total - 30

NAYS

Total - 0

ABSENT

Chabert	LaFleur	Price
Colomb	Martiny	Smith, J.
Donahue	Morrell	Tarver

Total - 9

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

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATOR ALLAIN

A CONCURRENT RESOLUTION

To approve the annual state integrated coastal protection plan for Fiscal Year 2020, as adopted by the Coastal Protection and Restoration Authority Board.

The resolution was read by title and referred by the President to the Committee on Transportation, Highways and Public Works.

**House Concurrent Resolutions on Second Reading**

**HOUSE CONCURRENT RESOLUTION NO. 10—**  
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 Tuesday, April 23, 2019, as Pro-Life Day at the state capitol.

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	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	
Total - 31		

**NAYS**

Total - 0

**ABSENT**

Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	
Total - 8		

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

**HOUSE CONCURRENT RESOLUTION NO. 11—**  
BY REPRESENTATIVE HOFFMANN

**A CONCURRENT RESOLUTION**

To recognize Wednesday, May 1, 2019, as Y Day in Louisiana and to commend Louisiana's YMCAs for dedication to families in the state.

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	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	
Total - 31		

**NAYS**

Total - 0

**ABSENT**

Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	
Total - 8		

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

**HOUSE CONCURRENT RESOLUTION NO. 12—**  
BY REPRESENTATIVE DEVILLIER

**A CONCURRENT RESOLUTION**

To designate the city of Eunice as the Home of Clovis Crawfish.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	
Total - 31		

**NAYS**

Total - 0

**ABSENT**

Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	
Total - 8		

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

**HOUSE CONCURRENT RESOLUTION NO. 13—**  
BY REPRESENTATIVE HOFFMANN

**A CONCURRENT RESOLUTION**

To recognize Tuesday, April 30, 2019, as Alzheimer's Awareness Day at the state capitol.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth

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Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	
Total - 31		
	NAYS	
Total - 0		
	ABSENT	
Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	
Total - 8		

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

**HOUSE CONCURRENT RESOLUTION NO. 14—**  
 BY REPRESENTATIVE MIKE JOHNSON AND SENATOR LUNEAU  
 A CONCURRENT RESOLUTION  
 To express the condolences of the Legislature of Louisiana on the death of former state representative Rick Farrar.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	
Total - 31		
	NAYS	
Total - 0		
	ABSENT	
Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	
Total - 8		

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

**HOUSE CONCURRENT RESOLUTION NO. 15—**  
 BY REPRESENTATIVE EDMONDS  
 A CONCURRENT RESOLUTION  
 To recognize Wednesday, April 10, 2019, as Pastor Appreciation Day at the state capitol.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Gatti	Peacock

Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	
Total - 31		
	NAYS	
Total - 0		
	ABSENT	
Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	
Total - 8		

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

**HOUSE CONCURRENT RESOLUTION NO. 16—**  
 BY REPRESENTATIVES HOFFMANN AND CHANEY  
 A CONCURRENT RESOLUTION  
 To designate Tuesday, May 21, 2019, as Dental Hygiene Day at the state capitol and to commend the Louisiana Dental Hygienists' Association.

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	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	
Total - 31		
	NAYS	
Total - 0		
	ABSENT	
Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	
Total - 8		

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

**HOUSE CONCURRENT RESOLUTION NO. 17—**  
 BY REPRESENTATIVE HOFFMANN  
 A CONCURRENT RESOLUTION  
 To recognize June 2019 as Post-traumatic Stress Injury Awareness Month and to recognize Thursday, June 27, 2019, as Post-traumatic Stress Injury Awareness Day in Louisiana.

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	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	

Total - 31

**NAYS**

Total - 0

**ABSENT**

Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	

Total - 8

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

**HOUSE CONCURRENT RESOLUTION NO. 18—**

BY REPRESENTATIVE HOFFMANN

**A CONCURRENT RESOLUTION**

To commend the Louisiana Association of Health Plans and to recognize Monday, April 15, 2019, as Louisiana Association of Health Plans Day at the state capitol.

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	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	

Total - 31

**NAYS**

Total - 0

**ABSENT**

Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	

Total - 8

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

**HOUSE CONCURRENT RESOLUTION NO. 19—**

BY REPRESENTATIVE HOFFMANN

**A CONCURRENT RESOLUTION**

To designate May 19-25, 2019, as Emergency Medical Services Week in Louisiana.

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	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward
Cortez	Mills	White
Erdey	Mizell	
Fannin	Morrish	

Total - 31

**NAYS**

Total - 0

**ABSENT**

Chabert	LaFleur	Smith, J.
Colomb	Martiny	Tarver
Donahue	Morrell	

Total - 8

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

**HOUSE CONCURRENT RESOLUTION NO. 20—**

BY REPRESENTATIVES JONES, PEARSON, AND HILFERTY

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take such actions as are necessary to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds.

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

**HOUSE CONCURRENT RESOLUTION NO. 21—**

BY REPRESENTATIVE LEGER

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana on the death of Father Patrick Joseph "Pat" Mascarella.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gatti	Peacock
Allain	Hensgens	Peterson
Appel	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Thompson
Carter	Luneau	Walsworth
Claitor	Milkovich	Ward

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Cortez  
Erdey  
Fannin  
Total - 31

Mills  
Mizell  
Morriish

White

NAYS

Total - 0

ABSENT

Chabert  
Colomb  
Donahue  
Total - 8

LaFleur  
Martiny  
Morrell

Smith, J.  
Tarver

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. 1—  
BY SENATOR PEACOCK**

AN ACT

To amend and reenact R.S. 11:3509, relative to the investments of certain local police pension and relief funds; to allow the board of trustees for the Bossier City fund to invest the monies in their trust as generally permitted for political subdivisions; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 13—  
BY SENATORS JOHNS, CORTEZ, LONG, MILKOVICH, MIZELL,  
PEACOCK AND PRICE**

AN ACT

To amend and reenact R.S. 11:1316(C), relative to surviving spouse benefits at the State Police Retirement System; to provide for reinstatement of benefits under certain circumstances; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 15—  
BY SENATOR LONG**

AN ACT

To amend and reenact R.S. 11:612(2)(m), relative to qualifications for membership in the hazardous duty service plan at the Louisiana State Employees' Retirement System; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 19—  
BY SENATOR BOUDREAUX**

AN ACT

To enact R.S. 37:1338.1, 1360.53.1, 1360.104.1, and 2863.1, relative to the authority of the Louisiana State Board of Medical Examiners to request and obtain state and national criminal history record information from certain state and federal agencies on any person applying for a license, registration, certificate, or permit to practice as a perfusionist, medical psychologist, genetic counselor, or polysomnographic health professional in this state; to provide for authority to collect fees and costs from an applicant for requesting and obtaining any criminal history record information; to provide for definitions; to provide for confidentiality of information; to provide for the

release of such information upon written consent of the applicant or by court order; to provide for rulemaking authority; 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. 19 by Senator Boudreaux

**AMENDMENT NO. 1**

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 44:4.1(B)(23) and to"

**AMENDMENT NO. 2**

On page 1, line 11, after "authority;" insert "to provide for an exception to the Public Records Law;"

**AMENDMENT NO. 3**

On page 2, lines 10 and 11, delete "indictments, bills of information."

**AMENDMENT NO. 4**

On page 3, line 9, after "information" insert "and make a simultaneous request of the FBI"

**AMENDMENT NO. 5**

On page 3, delete lines 13 through 18

**AMENDMENT NO. 6**

On page 3, line 19, change "F." to "E."

**AMENDMENT NO. 7**

On page 4, lines 12 and 13, delete "indictments, bills of information."

**AMENDMENT NO. 8**

On page 5, line 11, after "information" insert "and make a simultaneous request of the FBI"

**AMENDMENT NO. 9**

On page 5, delete lines 15 through 20

**AMENDMENT NO. 10**

On page 5, line 21, change "F." to "E."

**AMENDMENT NO. 11**

On page 6, lines 14 and 15, delete "indictments, bills of information."

**AMENDMENT NO. 12**

On page 7, line 13, after "information" insert "and make a simultaneous request of the FBI"

**AMENDMENT NO. 13**

On page 7, delete lines 17 through 22

**AMENDMENT NO. 14**

On page 7, line 23, change "F." to "E."

**AMENDMENT NO. 15**

On page 8, lines 16 and 17, delete "indictments, bills of information."

**AMENDMENT NO. 16**

On page 9, line 15, after "information" insert "and make a simultaneous request of the FBI"

**AMENDMENT NO. 17**

On page 9, delete lines 19 through 24

AMENDMENT NO. 18

On page 9, line 25, change "F." to "E."

AMENDMENT NO. 19

On page 10, after line 4, insert the following:

Section 2. R.S. 44:4.1(B)(23) is hereby amended and reenacted to read as follows:

§4.1. Exceptions

\* \* \*

B. The legislature further recognizes that there exist exceptions, exemptions, and limitations to the laws pertaining to public records throughout the revised statutes and codes of this state. Therefore, the following exceptions, exemptions, and limitations are hereby continued in effect by incorporation into this Chapter by citation:

\* \* \*

(23) R.S. 37:74, 86, 90, 147, 691, 711.10, 763, 763.1, 781, 920.1, 969.1, 1113(E), 1277, 1278, 1285, 1326, 1338.1, 1360.53.1, 1360.104.1, 1518, 1745.15, 1747, 1806, 2156.1, 2406, 2505.1, 2863.1, 3481, 3507.1

\* \* \*

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. 36

BY SENATOR MILLS

AN ACT

To enact Subpart C of Part II of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2115.31 through 2115.33, relative to emergency departments; to provide for legislative intent; to provide for definitions; to provide for a prohibition on freestanding emergency departments; to provide for licensure of hospital off-campus emergency departments; to provide for geographical prohibitions within rural hospital primary service areas; 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. 36 by Senator Mills

AMENDMENT NO. 1

On page 2, delete lines 3 through 6

AMENDMENT NO. 2

On page 2, line 7, change "D." to "C." and after "legislature" delete "further"

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. 38

BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 37:2446.1(A), relative to hearing aid dealers; to provide for an increase in the number of required continuing education hours that may be taken online or by correspondence; 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. 53

BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 40:1007(G), relative to prescription monitoring information; to provide for access to prescription monitoring information to certain queries from other states,

territories, federal districts, and federal jurisdictions; to provide for limited use; 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. 99

BY SENATOR BOUDREAUX

AN ACT

To amend and reenact R.S. 37:1174(A)(4), relative to Board of Pharmacy member qualifications; to provide for minimum qualifications for pharmacist members of the board; to provide for required experience in this state; 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. 198

BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 47:302(K)(7)(b), 1408(E), 1439(C) and (F), 1574.1(E), and 1580(B)(3), and to enact R.S. 47:340(E)(4), 1436(B)(3), 1561.1(C), and 1623(E)(3), relative to administration, disposition, enforcement, and adjudication of state and local taxes and the Board of Tax Appeals; to provide relative to the funding of the local tax division of the Board of Tax Appeals; to provide relative to service of Board of Tax Appeals orders; review of Board of Tax Appeals rulings; to provide relative to tax related escrow accounts; to provide relative to the enforcement of taxes collected on behalf of others; to provide relative to the prescription of taxes and tax refunds; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 198 by Senator Peacock

AMENDMENT NO. 1

On page 1, line 2, delete "1408(E)," and insert "1403(B)(6)(a)(i), 1408(D)(1) and (E),"

AMENDMENT NO. 2

On page 1, delete line 3 and insert: "1580(B)(3), to enact R.S. 47:340(E)(4), 1436(B)(3), 1561.1(C), and 1623(G), and to repeal R.S. 47:1403(B)(6)(b),"

AMENDMENT NO. 3

On page 1, line 12, delete "1408(E)," and insert "1403(B)(6)(a)(i), 1408(D)(1) and (E),"

AMENDMENT NO. 4

On page 1, line 14, delete "1623(E)(3)" and insert "1623(G)"

AMENDMENT NO. 5

On page 2, delete line 24 and insert: "due shall be made from local sales and use tax collections of the commission. A part of the interagency transfer due pursuant to Section 2 of Act 198 of the 2014 Regular Session of the Legislature may be designated as an actual expense of the commission pursuant to Paragraph (3) of this Subsection, and payment of that designated part may be made from state sales and use tax collections of the commission."

AMENDMENT NO. 6

On page 2, between lines 25 and 26, insert:

"§1403. Designation of officers; domicile; quorum; seal

\* \* \*

B. \* \* \*

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April 10, 2019

# 3rd DAY'S PROCEEDINGS

(6)(a)(i) Upon the joint motion of all parties in any matter, or for any case filed by or against a local collector pursuant to an election made by the local collector in accordance with the provisions of Subparagraph (b) of this Paragraph, a case filed with the board shall be heard in the board's Local Tax Division.

### AMENDMENT NO. 7

On page 2, between lines 27 and 28, insert:

"D. (1) ~~The~~ **An action may be brought in the Board of Tax Appeals pursuant to the** provisions of R.S. 47:314, 337.33(A), 337.43, and 1547, **1574.1, or 1582** shall apply to the Board of Tax Appeals and its Local Tax Division in the same manner as for a district court. In addition to the remedies otherwise provided for in this Section, any interested party may file a motion or rule in any court of competent jurisdiction alleging a violation of any order issued by the board or its local tax judge pursuant to R.S. 47:337.33, 337.43, and 1547 **applicable law**, and the district court shall consider any violation shown to be a contempt of the court and shall immediately punish the violator in accordance with R.S. 13:4611(1) and all other applicable laws for contempt of court.

### AMENDMENT NO. 8

On page 4, line 1, at the beginning of the line, insert "**Louisiana**"

### AMENDMENT NO. 9

On page 5, delete lines 23 through 29 and insert:

**"G. Notwithstanding any provision law to the contrary, prescription shall not be considered to have accrued until two years from the date of receipt of the Department of Defense notice issued to the taxpayer pursuant to the provisions of the federal law for any period in which the taxpayer received a refund from the Internal Revenue Service concerning an adjustment to income pursuant to the provisions of the Combat-Injured Veterans Tax Fairness Act of 2016. This prescriptive period is limited to the corresponding Louisiana income tax refund. A taxpayer may claim this Louisiana refund by amending the Louisiana individual income tax return for the same period in which a federal income tax refund was granted pursuant to the Combat-Injured Veterans Tax Fairness Act of 2016. Alternatively, a taxpayer may claim a Louisiana standard refund amount proportional to that of the federal standard refund amount in accordance with rules promulgated by the secretary in accordance with the Administrative Procedure Act."**

### AMENDMENT NO. 10

On page 5, after line 29, insert:

"Section 2. R.S. 47:1403(B)(6)(b) is hereby repealed."

### AMENDMENT NO. 11

On page 6, line 1, delete "Section 2." and insert "Section 3."

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

## Rules Suspended

### Introduction of Senate Resolutions

Senator Milkovich asked for and obtained a suspension of the rules to read Senate Resolutions a first and second time.

### Introduction of Senate Resolutions

#### SENATE RESOLUTION NO. 22—

BY SENATOR MILKOVICH

#### A RESOLUTION

To commend and congratulate the Northwestern State University's Department of Creative and Performing Arts on 30 years of creative and academic excellence.

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

## ATTENDANCE ROLL CALL

### PRESENT

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hensgens	Peterson
Barrow	Hewitt	Price
Bishop	Johns	Riser
Boudreaux	Long	Smith, G.
Carter	Luneau	Thompson
Claitor	Milkovich	Walsworth
Cortez	Mills	Ward
Erdey	Mizell	White
Total - 30		

### ABSENT

Chabert	LaFleur	Morrell
Colomb	Lambert	Smith, J.
Donahue	Martiny	Tarver
Total - 9		

## Leaves of Absence

The following leaves of absence were asked for and granted:

Chabert	1 Day	Colomb	1 Day
Donahue	1 Day	LaFleur	1 Day
Lambert	1 Day	Martiny	1 Day
Morrell	1 Day	Smith, J.	1 Day
Tarver	1 Day		

## Announcements

The following committee meetings for April 15, 2019, were announced:

Retirement	3:00 P.M.	Room E
Revenue and Fiscal Affairs	4:00 P.M.	Hainkel Room

## Adjournment

On motion of Senator Thompson, at 10:45 o'clock A.M. the Senate adjourned until Monday, April 15, 2019, at 5:00 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