

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

EIGHTH 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

Tuesday, April 23, 2019

The Senate was called to order at 4:20 o'clock P.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	Erdey	Mizell
Allain	Fannin	Morrell
Appel	Gatti	Morrish
Barrow	Hensgens	Peacock
Bishop	Hewitt	Price
Boudreaux	Johns	Riser
Carter	Lambert	Smith, G.
Chabert	Long	Smith, J.
Claitor	Luneau	Tarver
Colomb	Martiny	Thompson
Cortez	Milkovich	Walsworth
Donahue	Mills	White
Total - 36		

ABSENT

LaFleur	Peterson	Ward
Total - 3		

The President of the Senate announced there were 36 Senators
present and a quorum.

Prayer

The prayer was offered by Dr. David Hankins, 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 John Smith, the reading of the Journal was
dispensed with and the Journal of April 22, 2019, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 22, 2019

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and
Development to seek state and federal funds to construct noise
barriers on Interstate 10 between Downman Road and Bullard
Road in Orleans Parish.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Procter & Gamble Fabric Care Manufacturing
Alexandria Plant in Pineville, Louisiana, on the celebration of
their Fiftieth Anniversary.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 61—

BY SENATOR CHABERT

A RESOLUTION

To commend the members of the Louisiana Athletic Trainers
Association for their dedicated hard work on behalf of the
athletes of Louisiana and to designate April 23, 2019, as
Louisiana Athletic Trainers Association Day at the state capitol.

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

SENATE RESOLUTION NO. 62—

BY SENATOR WHITE

A RESOLUTION

To commend and congratulate Bernhard LLC for one hundred years
of operation.

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

SENATE RESOLUTION NO. 63—

BY SENATOR CARTER

A RESOLUTION

To designate May 9, 2019, as "Louisiana Counseling Association
Day" at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 64—

BY SENATOR THOMPSON

A RESOLUTION

To commend the members of the two Delhi Charter School high
school robotics teams on a record-setting 2018-2019 season.

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

SENATE RESOLUTION NO. 65—

BY SENATOR PEACOCK

A RESOLUTION

To commend Grace Sun of Caddo Parish Magnet High School 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 RESOLUTION NO. 66—

BY SENATOR PEACOCK

A RESOLUTION

To commend Julianna Gouthiere from Youree Drive Middle School 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 RESOLUTION NO. 67—

BY SENATOR BARROW

A RESOLUTION

To recognize Thursday, April 25, 2019, as Forum 35 Day at the state capitol and to commend the members of Forum 35.

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

SENATE RESOLUTION NO. 68—

BY SENATOR MILLS

A RESOLUTION

To honor the memory of Specialist Fourth Class Larry Joseph Lancon, a Louisiana native killed in action in the Republic of Vietnam and in whose honor the medical troop clinic at Fort Polk, Louisiana, will be renamed.

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

SENATE RESOLUTION NO. 69—

BY SENATOR BARROW

A RESOLUTION

To commend Myracle Lewis from Baton Rouge Magnet High School 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 RESOLUTION NO. 70—

BY SENATOR BOUDREAU

A RESOLUTION

To commend and congratulate Lena Fontenot Charles upon her induction into the St. Landry Parish Democratic Party Hall of Fame.

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

SENATE RESOLUTION NO. 71—

BY SENATOR FANNIN

A RESOLUTION

To commend Kate Walker of Cedar Creek High School on being named a state high school honoree of the 2019 Prudential Spirit of Community Awards program.

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

SENATE RESOLUTION NO. 72—

BY SENATOR PETERSON

A RESOLUTION

To commend posthumously "King" Buddy Bolden, the father of New Orleans jazz.

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

SENATE RESOLUTION NO. 73—

BY SENATOR ERDEY

A 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 RESOLUTION NO. 74—

BY SENATOR MILLS

A RESOLUTION

To designate May 9, 2019, as "Louisiana Physical Therapy Association Day" at the Louisiana State Capitol and commend the association on its outstanding achievements and contributions to improving the health and welfare of Louisiana.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR APPEL AND REPRESENTATIVE BRASS

A CONCURRENT RESOLUTION

To create and establish the Work-Based Learning Task Force that engages industry, government, high schools, and postsecondary schools to undertake a national and statewide review of successful, high-value, work-based learning programs and projects; to set a vision, goals, and targets for statewide impact; to develop a comprehensive, coordinated, statewide framework and implementation plan for Louisiana; to identify policies and strategies that will lead to the expansion, improvement, and better coordination of existing work-based learning initiatives in the state; and to make policy recommendations to the legislature for a large scale, coordinated work-based learning model in Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend and congratulate Spencer J. Kiper upon receipt of the 2019 Louisiana Teacher of the Year award from the Louisiana Department of Education and to recognize his many contributions to education and the teaching profession.

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

SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend T. Lamar Goree PhD, upon being named the 2019 Superintendent of the Year by the Louisiana Association of School Superintendents and to record his myriad of accomplishments in education and his many contributions to the Caddo Parish School System, to his community, and to the state of Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To congratulate Easterseals, Inc. on its one hundredth anniversary as an effective advocate for individuals with disabilities and to commend Easterseals Louisiana for the indispensable resources it provides to the local community and its fund-raising efforts.

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	Peacock
Allain	Gatti	Peterson
Appel	Hensgens	Price
Barrow	Hewitt	Riser
Bishop	Johns	Smith, G.
Boudreaux	LaFleur	Smith, J.
Carter	Lambert	Tarver
Chabert	Long	Thompson
Claitor	Martiny	Walsworth
Colomb	Milkovich	Ward
Cortez	Mills	White
Donahue	Mizell	
Erdey	Morrish	
Total - 37		

NAYS

Total - 0

ABSENT

Luneau	Morrell
Total - 2	

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

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR HEWITT

A CONCURRENT RESOLUTION

To designate Thursday, May 9, 2019, as LFCA Fire Chiefs Day at the state capitol.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 54—

BY SENATOR HENSGENS

A RESOLUTION

To commend Joe Cormier III, upon his 2019 induction into the International Babe Ruth Hall of Fame and for his many achievements in youth baseball.

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

SENATE RESOLUTION NO. 55—

BY SENATOR GATTI

A RESOLUTION

To commend and congratulate Carroll Breaux, mayor of the city of Springhill, for twenty-eight years of dedicated public service on the occasion of his retirement from public office.

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

SENATE RESOLUTION NO. 57—

BY SENATOR BARROW

A RESOLUTION

To recognize April as Sarcoidosis Awareness Month in Louisiana and to designate April 13, 2019, as Sarcoidosis Awareness Day at the state capitol.

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

SENATE RESOLUTION NO. 58—

BY SENATOR MILLS

A RESOLUTION

To commend the Southern Mutual Help Association, Inc. on fifty years of working for social and employment equality and refusing to surrender its dream of a country that lives up to the lofty aspirations of the Declaration of Independence and the preamble to the United States Constitution.

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

SENATE RESOLUTION NO. 59—

BY SENATOR BISHOP

A RESOLUTION

To recognize April 25, 2019, as Jack and Jill Day at the capitol.

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

SENATE RESOLUTION NO. 60—

BY SENATOR PETERSON

A RESOLUTION

To commend the efforts of The Links, Incorporated and to designate Thursday, April 25, 2019, as Louisiana Links Day at the state capitol.

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

Senate Concurrent Resolutions on Second Reading

SENATE CONCURRENT RESOLUTION NO. 41—

BY SENATOR WHITE

A CONCURRENT RESOLUTION

To create and provide for the Law Enforcement Officer PTSD Study Commission to study the short-term and long-term effects of post traumatic stress disorder on law enforcement officers and to recommend any action or legislation that the commission deems necessary or appropriate.

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

Called from the Calendar

Senator Erdey asked that Senate Concurrent Resolution No. 28 be called from the Calendar.

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATOR ERDEY

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrell
Allain	Gatti	Morrish
Appel	Hensgens	Peacock
Barrow	Hewitt	Peterson
Bishop	Johns	Price
Boudreaux	LaFleur	Riser
Carter	Lambert	Smith, G.

April 23, 2019

Chabert	Long	Smith, J.
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White

Total - 36

NAYS

Total - 0

ABSENT

Fannin	Luneau	Tarver
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Total - 3

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

Called from the Calendar

Senator Erdey asked that Senate Concurrent Resolution No. 29 be called from the Calendar.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 35

NAYS

Total - 0

ABSENT

Fannin	Morrell
Luneau	Tarver

Total - 4

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

Called from the Calendar

Senator Thompson asked that Senate Concurrent Resolution No. 32 be called from the Calendar.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Fannin	Luneau	Tarver
Hensgens	Morrell	

Total - 5

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 22, 2019

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. 51	HB No. 60	HB No. 68
HB No. 79	HB No. 115	HB No. 232
HB No. 249	HB No. 280	HB No. 365
HB No. 66	HB No. 197	HB No. 317

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 51—
BY REPRESENTATIVE HUVAL
AN ACT

To amend and reenact R.S. 32:295.1(E), relative to the requirement to wear safety belts while operating a motor vehicle; to provide for the introduction of evidence of the failure to wear a safety belt under certain circumstances; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 60—

BY REPRESENTATIVES JAY MORRIS, ABRAMSON, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BISHOP, BOURRIAQUE, CHAD BROWN, TERRY BROWN, CARMODY, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, DEVILLIER, DWIGHT, EDMONDS, FALCONER, FOIL, GAROFALO, GISCLAIR, GUINN, LANCE HARRIS, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, JACKSON, JAMES, JEFFERSON, MIKE JOHNSON, LACOMBE, LARVADAIN, LYONS, MACK, MARCELLE, MCFARLAND, MOORE, JIM MORRIS, NORTON, PUGH, SCHEXNAYDER, SEABAUGH, STAGNI, THOMAS, TURNER, WHITE, AND WRIGHT AND SENATOR RISER

AN ACT

To enact R.S. 47:302(BB)(110), 321(P)(111), 321.1(I)(111), and 331(V)(111), relative to sales and use tax; to provide for the effectiveness of certain annual sales and use tax holidays; 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. 66—

BY REPRESENTATIVE TERRY BROWN
AN ACT

To designate a portion of United States Highway 84 from the Catahoula Parish line to the Winn Parish line in LaSalle Parish as the "Veterans Memorial Highway"; and to provide for related matters.

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

HOUSE BILL NO. 68—

BY REPRESENTATIVE THOMAS
AN ACT

To enact R.S. 47:463.202, relative to motor vehicle special prestige license plates; to establish the "War of 1812" special prestige plate; to provide for creation, issuance, design, fees, distribution, and rule promulgation applicable to such license plates; and to provide for related matters.

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

HOUSE BILL NO. 79—

BY REPRESENTATIVE DUBUISSON
AN ACT

To designate a portion of United States Highway 190 in Slidell, Louisiana as the "Officer Jason Seals Memorial Highway"; to designate a portion of United States Highway 171 in Shreveport, Louisiana as the "Ralph D. Balentine Memorial Highway"; and to provide for related matters.

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

HOUSE BILL NO. 115—

BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 47:490.32, relative to motor vehicle license plates; to create a military honor license plate for "Purple Heart" recipients that have a service-connected disability of fifty percent or more; and to provide for related matters.

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

HOUSE BILL NO. 197—

BY REPRESENTATIVE FOIL
AN ACT

To enact R.S. 13:5109.1, relative to the settlement of certain claims; to provide relative to claims based upon allegations of sexual harassment or sexual assault; to provide for prohibitions of the use of certain terms of settlement agreements; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 232—

BY REPRESENTATIVE TURNER
AN ACT

To enact R.S. 47:490.32, relative to motor vehicle military honor license plates; to create a military honor license plate for combat veterans; to provide for the creation, issuance, design, fees, distribution, and rule promulgation applicable to such plates; and to provide for related matters.

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

HOUSE BILL NO. 249—

BY REPRESENTATIVE CONNICK
AN ACT

To enact R.S. 9:2795.7, relative to limitations of liability; to provide a limitation of liability to participants in certain community service programs; to provide for the establishment of community service litter abatement, beautification, and maintenance programs; to provide for definitions; and to provide for related matters.

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

HOUSE BILL NO. 280—

BY REPRESENTATIVE MCFARLAND AND SENATOR LONG
AN ACT

To amend and reenact R.S. 47:297(H)(2)(a), (b)(ii), (c), (d), and (e) and (3) and to enact R.S. 47:297 (H)(2)(f), relative to the individual income tax; to authorize an income tax credit for certain physician assistants; to provide for the amount of the credit; to provide for certain requirements; 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. 317—

BY REPRESENTATIVE HOWARD
AN ACT

To enact R.S. 47:463.202, relative to motor vehicle special prestige license plates; to establish the "Louisiana REALTORS" special prestige plate; to provide for creation, issuance, design, fees, distribution, and rule promulgation applicable to such license plates; and to provide for related matters.

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

HOUSE BILL NO. 365—

BY REPRESENTATIVE DUSTIN MILLER
AN ACT

To enact R.S. 47:463.202, relative to motor vehicle special prestige license plates; to provide for the "Disabled Peace Officer" specialty license plate; to provide for the creation, issuance, design, fees, distribution, and rule promulgation applicable to such license plates; and to provide for related matters.

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

**House Concurrent Resolutions on
Second Reading**

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE SMITH
A CONCURRENT RESOLUTION

To commend Dr. Jinx Coleman Broussard for her many accomplishments and her service to Louisiana State University Manship School of Mass Communication.

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

April 23, 2019

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gatti	Morrish
Allain	Hensgens	Peacock
Appel	Hewitt	Peterson
Barrow	Johs	Price
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	

Total - 38

NAYS

Total - 0

ABSENT

Fannin
Total - 1

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Rick Ward III, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 23, 2019

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE RESOLUTION NO. 37—

BY SENATOR GATTI

A RESOLUTION

To urge and request the Louisiana State Law Institute to study the feasibility of authorizing "series" limited liability companies in Louisiana.

Reported with amendments.

SENATE BILL NO. 70—

BY SENATOR DONAHUE

AN ACT

To enact R.S. 13:2586(C)(6), 2587.3 and 2589(D), relative to justice of the peace courts in St. Tammany Parish; to provide relative to jurisdiction and procedures; to provide relative to property standards and nuisance violations; to provide for actions by constables; to provide relative to procedures and reimbursement; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 118—

BY SENATOR MILKOVICH

AN ACT

To enact Code of Civil Procedure Art. 1636.1, relative to contradictory hearings in civil proceedings; to provide for the right to present oral arguments; to provide with respect to reasonable control of oral argument by the court, waiver or denial of oral argument, and grounds for setting aside a judgment obtained in violation of requirements; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 191—

BY SENATOR CHABERT

AN ACT

To enact R.S. 9:5610, relative to civil liability for damages; to provide for peremption of actions for damages against real estate appraisers, appraisal management companies, and real estate appraisal companies; to provide for a prescriptive period for such actions; to provide for applicability; to provide for exceptions; and to provide for related matters.

Reported favorably.

Respectfully submitted,
RICK WARD III
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Gary L. Smith, Jr., Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 23, 2019

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR MORRELL

A CONCURRENT RESOLUTION

To provide relative to the Task Force on Secure Care Standards and Auditing to assist in development and implementation of standards and procedures in the operation and audit of secure care facilities in the state.

Reported favorably.

SENATE BILL NO. 34—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 26:85(6) and 359(B)(1)(c), relative to the shipment of alcoholic beverages; to remove the bottle-size limitation on containers of wine shipped directly to consumers; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 94—

BY SENATOR MORRELL

AN ACT

To enact R.S. 26:80(F)(3) and 280(F)(3), relative to alcohol and tobacco control; to provide relative to qualifications of applicants for permits; to provide certain exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 153—
BY SENATOR MARTINY

AN ACT

To amend and reenact R.S. 13:4721, R.S. 14:90(C) and 90.3(F), R.S. 27:3(24), 15(B)(1), 29(F), (H), and (I), 29.2(D), 29.3(A) and (D), 29.4(D), 44(10), (12), and (14), 58(5), 65(B)(11), 205(12) and (13), 239.1, 361(F), and 371(C), and to enact R.S. 18:1300.24, and R.S. 27:3(25) and (26), 15(B)(8)(c), and 29.2.1, and Chapter 10 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:601 through 607, relative to sports wagering; to require an election to authorize sports wagering; to provide for definitions; to provide regarding permits; to provide regarding sports wagering certificates; to provide regarding the duties and powers of the Gaming Control Board; to provide regarding rulemaking; to provide regarding prohibited wagers; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 176—
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 26:2(9), relative to Alcoholic Beverage Control Law; to provide relative to the definition of liquor retail distribution center; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 196—
BY SENATOR MORRELL

AN ACT

To enact R.S. 27:93.1 and 253, relative to local fees on gaming; to authorize a local governing authority to levy a fee on certain winnings; to provide for the maximum amount of the fee; to provide for the ranking of deductions on winnings; to provide for allocation of the revenue generated; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GARY L. SMITH JR.
Chairman

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

SENATE BILL NO. 4—

BY SENATOR MORRELL AND REPRESENTATIVE LEGER
A JOINT RESOLUTION

Proposing to add Article VII, Section 2.2(D) of the Constitution of Louisiana, relative to the limitations on the power of taxation; to prohibit the imposition of state sales and use tax on certain items; to provide for an effective date; to provide and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 5—

BY SENATOR MORRELL AND REPRESENTATIVE LEGER
AN ACT

To enact R.S. 47:302(BB)(110), 305.72, 321(P)(111), 321.1(I)(111), and 331(V)(111), relative to state sales and use tax exemptions; to exempt consumer purchases of certain diapers and feminine hygiene products from state sales and use tax; to authorize an exemption from local sales and use taxes; to provide for an effective date; 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. 5 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 2, delete "and 331(V)(111)," and insert "331(V)(111), and 337.10(P),"

AMENDMENT NO. 2

On page 1, lines 8 and 9, delete "and 331(V)(111)" and insert "331(V)(111), and 337.10(P)"

AMENDMENT NO. 3

On page 3, between lines 24 and 25, insert:
"\$337.10. Optional exclusions and exemptions
* * *

P. As provided for in R.S. 47:305.72, any political subdivision authorized by the constitution and laws of this state to levy and impose a sales and use tax may by ordinance or resolution apply the exemption for diapers and feminine hygiene products to all or part of the sales and use tax levied and imposed by the political subdivision.

AMENDMENT NO. 4

On page 3, line 27, after "Senate Bill No." insert "4"

On motion of Senator Morrell, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 40—

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:1604(A)(4), 1604.1(B)(7), 1609(C) and (D), and 1612(A), to enact R.S. 3:1612.1, and to repeal R.S. 3:1603(2), 1604.1(A)(6) and (7) and (B)(3) and (4), and 1613 through 1617, relative to the Louisiana Boll Weevil Eradication Law; to provide relative to the Boll Weevil Eradication Commission; to abolish the Boll Weevil Eradication Fund; to provide for the transfer of any remaining monies in the Boll Weevil Eradication Fund; to repeal assessments on cotton producers and all related provisions; to repeal liens on cotton; and to provide for related matters.

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

SENATE BILL NO. 149—

BY SENATOR LUNEAU

AN ACT

To authorize and provide for the transfer of certain state property; to provide for the property descriptions; to provide for reservation of mineral rights; to provide for terms and conditions; to provide for dedication of funds; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 149 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "of certain" delete "authorize and provide for the transfer" and insert "enact R.S. 40:16.4, relative to the transfer or sale"

AMENDMENT NO. 2

On page 1, line 4, after "of funds;" and before "and to provide" insert "to provide for the creation of the Louisiana Department of Health's Facility Support Fund Number 2; to provide for the transfer, use, and investment of monies in the fund;"

April 23, 2019

AMENDMENT NO. 3

On page 6, between lines 14 and 15, insert the following:

"Section 3. The commissioner of administration and the secretary of the Department of Transportation and Development, notwithstanding any other provision of law to the contrary, are hereby authorized and empowered to convey, transfer, assign, lease, or deliver any interest, excluding mineral rights, the state may have to all or any portion of the following described parcel of property to the Louisiana Department of Health:

Parcel I-2, State of Louisiana, Section 17, T-4-N, R1W From a point on the centerline of State Project No. 840-43-0009, at Station 70+71.12, proceed S52N51'58"E a distance of 146.34 feet to the point of beginning; thence proceed N31N35'37"E a distance of 221.03 feet to a point and corner; thence proceed S52N51'58"E a distance of 200.93 feet to a point and corner; thence proceed along a curve to the right having a radius of 435.00 feet, whose length is 375.25 feet and whose chord length is 363.72 feet and bears S28N08'45"E to a point and corner; thence proceed S03N31'39"E a distance of 163.97 feet to a point and corner; thence proceed S15N51'23"W a distance of 176.98 feet to a point and corner; thence proceed S31N12'07"W a distance of 75.57 feet to a point and corner; thence proceed S17N32'26"W a distance of 206.71 feet to a point and corner; thence proceed along a curve to the left having a radius of 897.69 feet, whose length is 176.48 feet and whose chord length is 176.19 feet and bears N47N29'20"W to a point and corner; thence proceed along a curve to the right having a radius of 390.00 feet, whose length is 129.97 feet and whose chord length is 129.37 feet and bears N06N18'35"E to a point and corner; thence proceed N15N51'23"E a distance of 122.88 feet to a point and corner; thence proceed N02N12'33"W a distance of 145.11 feet to a point and corner; thence proceed along a curve to the left having a radius of 215.00 feet, whose length is 257.88 feet and whose chord length is 242.69 feet and bears N18N30'19"W to a point and corner; thence proceed N52N51'58"W a distance of 179.54 feet to the point of beginning. All of which comprises Parcel I-2 as shown on Sheet 1 of 2 of the Special Map of State Project No. 840-43-0009, and contains an area of 212950.9 square feet or 4.889 acres."

AMENDMENT NO. 4

On page 6, delete lines 15 through 26

AMENDMENT NO. 5

On page 7, between lines 17 and 18, insert the following:

"Section 6. The commissioner of administration and the secretary of the Department of Transportation and Development, on behalf of the state of Louisiana, are hereby authorized to enter into such agreements, covenants, conditions, and stipulations and to execute such documents as necessary to properly effectuate any conveyance, transfer, assignment, lease, or delivery of title, excluding mineral rights, to the properties described in Section 3, and as more specifically described in any such agreements entered into and documents executed by and between the commissioner of administration and the secretary of the Department of Transportation and Development and the Department of Health, in exchange of consideration at least proportionate to the appraised value of the properties."

AMENDMENT NO. 6

On page 8, line 2, after "Fund" and before "and be" insert "Number 2"

AMENDMENT NO. 7

On page 8, at the beginning of line 3, insert "planning, design, permits, improvements, repairs, equipment,"

AMENDMENT NO. 8

On page 8, at the end of line 3, insert the following: "The proceeds from the transactions described in Sections 2 and 3 shall be deposited into the state treasury in accordance with R.S. 39:13 and R.S. 41:131 et seq.

Section 9. R.S. 40:16.4 is hereby enacted to read as follows:

§16.4. Louisiana Department of Health's Facility Support Fund Number 2

A. There is hereby created, as a special fund in the state treasury, the Louisiana Department of Health's Facility Support Fund Number 2, hereinafter referred to as the "fund".

B.(1) Notwithstanding any other provision of law to the contrary, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay an amount into the fund equal to the amount collected by the state from the proceeds of the sale or transfer of certain lands as provided in Section 1 of the Act which originated as Senate Bill No. 149 of the 2019 Regular Session of the Legislature, less the amount of the sale proceeds to be deducted by the state land office to offset its appraisal, survey, and other closing costs occasioned by the transactions.

(2) Monies appropriated from the fund shall be used solely as provided in Subsection C of this Section and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the fund following compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund.

C. Subject to annual appropriation by the legislature, the monies in the fund shall be used solely for the planning, design, permits, improvements, repairs, equipment, restoration, renovation, or construction of the Central Louisiana State Hospital."

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

SENATE BILL NO. 188—

BY SENATOR CHABERT

AN ACT

To amend and reenact R.S. 34:1653, and repeals R.S. 34:1654(C), relative to the Greater Lafourche Port Commission; to provide for the authority for issuance of bonds; to provide relative to the interest rates on the bonds; and to provide for related matters.

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

SENATE BILL NO. 201—

BY SENATOR MIZELL

AN ACT

To repeal R.S. 36:509(S) and Part XXVI of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:3087.191 through 3087.206, relative to the Washington Parish Reservoir District; to repeal references to, provisions for, and the powers, functions, and duties of the district and its board of commissioners; to provide for use of property and funds; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 201 by Senator Mizell

AMENDMENT NO. 1

On page 1, line 6, after "funds;" and before "and to provide" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 1, line 12, after "Section 3." delete the remainder of the line, delete lines 13 and 14, and insert the following: "Prior to September 1, 2019, the board of commissioners shall take all appropriate action to collect any funds due and owing to the district and to pay or satisfy any outstanding obligations and liabilities of the district. All of the equipment, vehicles, supplies, books, records, documents, papers, monies, actions, or any other item of property, and the improvements thereon, both movable and immovable, heretofore owned, held, used, operated, or maintained by the district in the exercise of its functions shall be transferred to the Department of Culture, Recreation and Tourism. Any monies transferred to the Department of Culture, Recreation and Tourism shall be deposited into the Louisiana State Parks Improvement and Repair Fund to be used, subject to legislative appropriation, for the Bogue Chitto State Park"

AMENDMENT NO. 3

On page 2, after line 2, insert the following:
 "Section 5. The provisions of this Act shall supersede any other provisions of law to the contrary. The provisions of this Act shall be liberally construed to effectuate these purposes.
 Section 6. Sections 1 and 2 of this Act shall become effective on September 1, 2019. Sections 3 through 6 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

SENATE BILL NO. 224—

BY SENATOR BOUDREAUX

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.

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. 224 by Senator Boudreaux

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 47:6301(A)(1), (B)(1)(c)(v)," and insert "R.S. 47:6301(B)(1)(c)(v),"

AMENDMENT NO. 2

On page 1, line 7, delete "R.S. 47:6301(A)(1), (B)(1)(c)(v)," and insert "R.S. 47:6301(B)(1)(c)(v),"

AMENDMENT NO. 3

On page 1, delete lines 10 through 17

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 23—

BY SENATOR PRICE

AN ACT

To amend and reenact Code of Criminal Procedure Article 313(B), relative to bail; to provide relative to the temporary detention of a person in custody under certain circumstances pending a bail hearing; and to provide for related matters.

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

SENATE BILL NO. 51—

BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 37:1025(A), relative to the qualifications for certified medication attendants; to provide for the clarification of citizenship requirements; to provide for the repeal of residency requirements; to provide for minimum qualifications; to make technical corrections; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Colomb	Luneau	Morrell
Total - 3		

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

SENATE BILL NO. 58—

BY SENATOR CARTER

AN ACT

To amend and reenact R.S. 18:114(B)(1), (E), and (F) and to repeal R.S. 18:114(J), relative to voter registration; to provide for voter registration through driver's license facilities; to provide procedures and requirements for voter registration through driver's license facilities; to provide procedures and requirements for application to obtain, renew, or change the name or address on a driver's license or identification card issued by the Department of Public Safety and Corrections; to provide relative to the powers, functions, and duties of the deputy secretary for public safety services of the Department of

April 23, 2019

Public Safety and Corrections, employees of driver's license facilities, the secretary of state, and registrars of voters; to provide for criminal penalties; and to provide for related matters.

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

SENATE BILL NO. 64— BY SENATOR JOHN SMITH AN ACT

To enact R.S. 22:2462(E), relative to electronic delivery of insurance documents and notices; to authorize an employer that provides group health insurance to its employees to consent on behalf of its employees for use of electronic documents provided certain requirements are met; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Allain, Appel, Barrow, Boudreaux, Carter, Chabert, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Long, Martiny, Milkovich, Mills, Mizell, Morrish, Peacock, Peterson, Price, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 34

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Bishop, Claitor, Hensgens, Luneau, Morrell.

Total - 5

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

SENATE BILL NO. 87— BY SENATOR JOHN SMITH AN ACT

To enact R.S. 22:1548(F), relative to the licensing of nonresident insurance producers; to require the maintenance of a home state license; to provide for termination of the nonresident license; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 87 by Senator John Smith

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 22:1548(C) and to"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." insert "R.S. 22:1548(C) is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 9 and 10, insert the following: "C. A nonresident producer who moves from one state to another state or a resident producer who moves from this state to another state shall file a change of address and provide certification from the new resident state within thirty days of the change of legal residence. The change of address shall include the producer's current and prior addresses. No fee or license application is required."

* * *

AMENDMENT NO. 4

On page 1, line 10, delete "(1)" and delete "Paragraph (2) of this" and after "Subsection" insert "C of this Section"

AMENDMENT NO. 5

On page 1, line 12, after "maintain" insert "in good standing" and between "a" and "producer" insert "current resident"

AMENDMENT NO. 6

On page 1, line 13, after "shall" insert "cease to be current or in good standing in this state, without further action by the commissioner, if the home state resident producer license ceases to be current or in good standing." and delete lines 14-17 and on page 2, delete lines 1-5

On motion of Senator Morrish, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Allain, Appel, Barrow, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hensgens, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrish, Peacock, Peterson, Price, Riser, Smith, G., Smith, J., Thompson, Walsworth, Ward, White.

Total - 36

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Bishop, Morrell, Tarver.

Total - 3

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

SENATE BILL NO. 108—

BY SENATORS GARY SMITH, BISHOP, CARTER, MARTINY, MORRELL AND PRICE AND REPRESENTATIVES GAINES, JACKSON, LEOPOLD, LYONS, MARCELLE AND STEFANSKI AN ACT

To amend and reenact R.S. 22:1443, relative to the premium on criminal bail bonds; to provide relative to additional collections in certain parishes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and Name. Includes Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hensgens, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Peterson, Price, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 38

NAYS

Claitor Total - 1

ABSENT

Total - 0

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

SENATE BILL NO. 138—

BY SENATORS GATTI, BARROW, CARTER, COLOMB, HENSGENS, MILLS, GARY SMITH AND WHITE AND REPRESENTATIVE WHITE AN ACT

To amend and reenact R.S. 32:681(A) and (B) and to enact R.S. 32:681(E), relative to postaccident drug testing under certain circumstances involving serious bodily injury; and to provide for related matters.

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

SENATE BILL NO. 146—

BY SENATORS MORRELL, BISHOP AND CARTER AND REPRESENTATIVES JIMMY HARRIS, JAMES AND LEGER AN ACT

To amend and reenact R.S. 15:257, relative to compulsory process; to prohibit the arrest and incarceration of victims of domestic violence and sexual assault who refuse to testify against their abusers; and to provide for related matters.

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

SENATE BILL NO. 164—

BY SENATOR MORRISH AN ACT

To amend and reenact R.S. 22:1006.1(A) and 1053(D) and R.S. 44:4.1(B)(11) and R.S. 44:4.1(B)(11) as amended by Section 2 of Act 371 of the 2018 Regular Session, to enact R.S. 22:1053(E) and (F), and Subpart P of Part III of Chapter 4 of Title 22 of the Louisiana Revised Statutes of 1950, to be

comprised of R.S. 22:1260.41 through 1260.46, and to repeal R.S. 22:1657 and R.S. 22:1657 as amended by Section 1 of Act 371 of the 2018 Regular Session, relative to the administration of prescription drug benefits; to provide for prior authorization; to provide for step therapy; to provide for licensure of pharmacy benefit managers; to provide for prohibited conduct; to provide for consumer access to information; to provide for an exception to the Public Records Law; and to provide for related matters.

Floor Amendments

Senator Morrish proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrish to Engrossed Senate Bill No. 164 by Senator Morrish

AMENDMENT NO. 1

On page 1, line 2, after "1053" delete the remainder of the line and insert: "(A) and (D) and R.S. 44:4.1(B)(11) and R.S."

AMENDMENT NO. 2

On page 1, line 4, delete "(E) and (F)" and insert "(B)(4) and (5) and (E)"

AMENDMENT NO. 3

On page 2, between lines 23 and 24, insert the following:

"A. Notwithstanding the provisions of R.S. 22:1047 to the contrary, any health care coverage plan specific in Subsection ~~D~~E of this Section which includes prescription benefits as part of its policy or contract, which utilizes step therapy or fail first protocols, and which is issued for delivery, delivered, renewed, or otherwise contracted for in this state on or after January 1, 2011, shall comply with the provisions of the Section.

B. When medications for the treatment of any medical condition are restricted for use by an insurer by a step therapy or fail first protocol, the prescribing physician shall have access to a clear and convenient process to expeditiously request an override of such restriction from the insurer. An override of such restriction shall be expeditiously granted by the insurer under any of the following circumstances:

* * *

(4) The prescribing physician can demonstrate to the health coverage plan that the preferred treatment required under the step therapy or fail first protocol was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event.

(5) The prescribing physician can demonstrate to the health coverage plan, the criteria set forth in Paragraphs (B)(1) through (4) have been satisfied under the insured's current or previous health coverage plan in the treatment of the insured's disease or medical condition."

AMENDMENT NO. 4

On page 2, delete lines 25-29.

AMENDMENT NO. 5

On page 3, delete lines 1-4

AMENDMENT NO. 6

On page 3, line 5, change "E." to "D."

AMENDMENT NO. 7

On page 3, line 11, change "F." to "E."

On motion of Senator Morrish, the amendments were adopted.

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

April 23, 2019

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Donahue, Mizell. Lists names of senators voting 'YEAS'.

NAYS

Table with 3 columns: Name, LaFleur, Walsworth. Lists names of senators voting 'NAYS'.

ABSENT

Table with 2 columns: Name, Peterson. Lists names of senators who are 'ABSENT'.

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

SENATE BILL NO. 192— BY SENATOR CHABERT

AN ACT

To enact R.S. 49:155(C) and 155.7, relative to state symbols; to designate "Jambalaya (On The Bayou)" by Hank Williams Sr. as an official state song; to designate the Cajun waltz as an official state dance; and to provide for related matters.

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

SENATE BILL NO. 199— BY SENATOR JOHN SMITH

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fannin, Morrill. Lists names of senators voting 'YEAS'.

Table with 3 columns: Donahue, Mills, Ward. Lists names of senators.

Erdey Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 221— BY SENATOR MIZELL

AN ACT

To amend and reenact R.S. 40:1061.17(B)(3), relative to regulation of abortion; to provide for a woman's informed consent in an abortion proceeding; to provide for certain written information to be given to a woman seeking an abortion; to require certain oral information to be given to a woman seeking an abortion; to provide for certain information necessary to assess the qualifications of the facility and the physician who will perform the abortion; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fannin, Morrill. Lists names of senators voting 'YEAS'.

Erdey Total - 38

NAYS

Total - 0

ABSENT

Table with 2 columns: Name, Tarver. Lists names of senators who are 'ABSENT'.

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

Explanation of Vote

Senator Bishop stated he intended to vote nay on Senate Bill No. 221, and asked that the Official Journal so state.

Explanation of Vote

Senator Carter stated he intended to vote nay on Senate Bill No. 221, and asked that the Official Journal so state.

Explanation of Vote

Senator Morrell stated he intended to vote nay on Senate Bill No. 221, and asked that the Official Journal so state.

Explanation of Vote

Senator Peterson stated she intended to vote nay on Senate Bill No. 221, and asked that the Official Journal so state.

SENATE BILL NO. 3—

BY SENATORS MIZELL, CORTEZ, FANNIN, HEWITT, LONG, PRICE AND GARY SMITH

AN ACT

To enact R.S. 32:861.2, relative to motor vehicles; to provide authority to the commissioner of the Department of Public Safety and Corrections, public safety services, office of motor vehicles, to waive any and all penalty, procedure, and requirement, for failure to maintain compulsory motor vehicle liability security for just cause in certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 36

NAYS

Total - 0

ABSENT

Morrell	Peterson	Tarver
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Total - 3

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

SENATE BILL NO. 30—

BY SENATOR WARD

AN ACT

To amend and reenact R.S. 34:1221(A), 1223(A), and 1224(A) and to repeal Chapter 29 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:2451 through 2458, relative to ports, harbors, and terminal districts; to provide relative to the Greater Baton Rouge Port Commission; to provide for representation of Pointe Coupee Parish on the commission; to add the parish of Pointe Coupee to the territorial limits and jurisdiction of the Greater Baton Rouge Port Commission; to abolish the Pointe Coupee Port, Harbor, and Terminal District; to abolish the Pointe Coupee Port Commission; to provide relative to bond obligations of the commission; and to provide for related matters.

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

SENATE BILL NO. 76—

BY SENATORS TARVER AND CARTER
AN ACT

To amend and reenact R.S. 32:295(A), relative to child passenger restraint systems; to increase the age a child shall be restrained in a rear-facing child safety seat; to increase the age a child shall be restrained in a forward-facing child safety seat; to increase the age a child shall be restrained in a child booster seat; to increase the age a child shall be restrained in an adult safety belt; to require that a child under a certain age is restrained in the rear seat of a motor vehicle; and to provide for related matters.

Floor Amendments

Senator Martiny sent up floor amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Martiny on behalf of the Legislative Bureau to Engrossed Senate Bill No. 76 by Senator Tarver

AMENDMENT NO. 1

On page 1, line 10, following "32:295(A)" and before "is hereby" delete "(1)(a) and (b)"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Peacock
Appel	Gatti	Peterson
Barrow	Hewitt	Price
Bishop	Johns	Riser
Boudreaux	LaFleur	Smith, G.
Carter	Lambert	Smith, J.
Chabert	Long	Tarver
Claitor	Luneau	Thompson
Colomb	Mills	Walsworth
Cortez	Mizell	White
Donahue	Morrell	
Erdey	Morrish	

Total - 34

NAYS

Total - 0

ABSENT

Allain	Martiny	Ward
Hensgens	Milkovich	

Total - 5

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

SENATE BILL NO. 91—

BY SENATOR CORTEZ

AN ACT

To enact R.S. 32:300.1.1, relative to electric low-speed scooters; to provide relative to the operation of an electric low-speed scooter; to provide relative to the definition of an "electric low-speed scooter"; to provide relative to the requirements of an electric low-speed scooter; to exempt an electric low-speed

April 23, 2019

scooter from certain requirements of motor vehicles; and to provide for related matters.

Floor Amendments

Senator Cortez proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cortez to Engrossed Senate Bill No. 91 by Senator Cortez

AMENDMENT NO. 1
On page 1, line 10 after "A." and before "Electric" insert "(1)"

AMENDMENT NO. 2
On page 1, line 11, after "department" change "and" to "or"

AMENDMENT NO. 3
On page 1, line 12, after "authority" insert ", or both,"

AMENDMENT NO. 4
On page 1, between lines 14 and 15 insert the following:
"(2) A parish or municipal governing authority may reasonably regulate and assess penalties for moving or parking violations applicable to the operator of an electric low-speed scooter on any sidewalk, bicycle path, or highway under its jurisdiction."

AMENDMENT NO. 5
On page 1, line 16, after "mean a" and before "scooter" insert "rental or commercial"

AMENDMENT NO. 6
On page 2, line 3, after "cycle," delete "a motor" and on line 4, at the beginning of line 4 delete "scooter, an electric scooter,"

AMENDMENT NO. 7
On page 3, between lines 5 and 6 insert the following:
"(3) Every person operating an electric low-speed scooter upon a highway of this state shall be granted all of the rights and shall be subject to all the duties applicable to the driver of a vehicle by this Chapter, except as provided in this Section or as otherwise limited or prohibited by the department or any parish or municipal governing authority, and except as to those provisions of this Chapter which by their very nature can have no application."

On motion of Senator Cortez, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS' in three columns: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hensgens, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Peterson, Price, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 100—
BY SENATORS ALLAIN AND PEACOCK
AN ACT

To amend and reenact R.S. 56:116.1(B)(3) and to enact R.S. 56:116.1(D)(3), relative to times and methods of taking of outlaw quadrupeds: to allow taking of outlaw quadrupeds with a shotgun capable of holding more than three shells under certain circumstances; and to provide for related matters.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 100 by Senator Allain

AMENDMENT NO. 1
On page 1, line 2, after "56:116.1(D)(3)" insert "and (4)"

AMENDMENT NO. 2
On page 1, line 5, after "circumstances;" insert "to allow taking of outlaw quadrupeds while riding or standing in or upon a moving land vehicle under certain circumstances;"

AMENDMENT NO. 3
On page 1, line 8, after "56:116.1(D)(3)" change "is" to "and (4) are"

AMENDMENT NO. 4
On page 2, between lines 11 and 12, insert the following:
"(4) Notwithstanding Paragraph (B)(1) of this Section, on private property, outlaw quadrupeds may be taken while riding or standing in or upon a moving land vehicle."

On motion of Senator Allain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS' in three columns: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hensgens, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Peterson, Price, Riser, Smith, G., Smith, J., Thompson, Walsworth, Ward, White.

Total - 38

NAYS

Total - 0

ABSENT

Tarver
Total - 1

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

SENATE BILL NO. 143—

BY SENATOR GARY SMITH

AN ACT

To amend and reenact R.S. 32:414(A)(1)(a) and (c), relative to driver licenses; to provide for suspension of driver licenses; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

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

SENATE BILL NO. 200—

BY SENATOR CORTEZ

AN ACT

To enact R.S. 38:2211.2, relative to public contracts; to provide for a pilot program to authorize local governmental subdivisions and political subdivisions to use the A+B bid method to determine the lowest responsive bidder in contracts for public works under certain conditions; and to provide for related matters.

Floor Amendments

Senator Cortez proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cortez to Engrossed Senate Bill No. 200 by Senator Cortez

AMENDMENT NO. 1

On page 3, line 3, after "materials" and before "or methods" insert "currently approved by the local governmental subdivision or political subdivision."

On motion of Senator Cortez, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Morrell Peterson
Total - 2

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

Called from the Calendar

Senator Gatti asked that Senate Bill No. 138 be called from the Calendar.

SENATE BILL NO. 138—

BY SENATORS GATTI, BARROW, CARTER, COLOMB, HENSGENS, MILLS, GARY SMITH AND WHITE AND REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 32:681(A) and (B) and to enact R.S. 32:681(E), relative to postaccident drug testing under certain circumstances involving serious bodily injury; and to provide for related matters.

Floor Amendments

Senator Gatti proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gatti to Engrossed Senate Bill No. 138 by Senator Gatti

AMENDMENT NO. 1

On page 1, line 2, after "32:681(E)" insert "and (F)"

April 23, 2019

AMENDMENT NO. 2

On page 1, line 7, after "32:681(E)" delete "is" and insert "and (F) are"

AMENDMENT NO. 3

On page 1, line 12, after ""severe"" insert "or "incapacitating" or "suspected serious injury""

AMENDMENT NO. 4

On page 1, line 13, after "Report or" insert "serious bodily injury or a"

AMENDMENT NO. 5

On page 2, line 5, after ""severe"" insert "or "incapacitating" or "suspected serious injury""

AMENDMENT NO. 6

On page 2, line 6, after "Report or" insert "serious bodily injury or"

AMENDMENT NO. 7

On page 2, line 7, after "substance" delete the remainder of the line and insert a period "."

AMENDMENT NO. 8

On page 2, line 8, delete "40:964 or any other impairing substance."

AMENDMENT NO. 9

On page 2, between lines 11 and 12 insert the following: "E. For the purposes of this Section, "serious bodily injury" means a bodily injury which involves unconsciousness, a period of protracted unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death."

AMENDMENT NO. 10

On page 2, at the beginning of line 12, change "E." to "F." and change "Grantham's" to "Bug's"

On motion of Senator Gatti, the amendments were adopted.

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

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 75—

BY SENATOR THOMPSON

A RESOLUTION

To commend the members of the Delhi Charter School junior high robotics teams on winning top awards at the Louisiana State VEX IQ Championship and qualifying to compete at the 2019 VEX World Championship.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 23, 2019

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 Concurrent Resolutions:

HCR No. 39

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

House Concurrent Resolutions on First Reading

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVE WHITE

A CONCURRENT RESOLUTION

To commend Our Lady of the Angels Hospital in Bogalusa, Louisiana, on the establishment of its Opioid Sparing Initiative, aimed at reducing the number of opioid prescriptions given to patients by prescribing and using opioid pain treatment only in conjunction with other proven drugs and protocols and not, generally, as the primary pain reducer.

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

Privileged Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 23, 2019

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 Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATORS JOHNS, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CHABERT, CLAITOR, COLOMB, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HENSGENS, HEWITT, LAFLEUR, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, MORRISH, PEACOCK, PETERSON, PRICE, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

A CONCURRENT RESOLUTION

To recognize May 11, 2019, as Louisiana Firefighters' Appreciation Day and commend all firefighters across the state for their dedication to public safety and for their service to the citizens of Louisiana and the United States of America.

Respectfully submitted, KAREN CARTER PETERSON Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 23, 2019

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 20— BY REPRESENTATIVES JONES, HILFERTY, AND PEARSON AND SENATORS CHABERT, CORTEZ, LONG, MILKOVICH, MIZELL, PEACOCK, PRICE, AND WALSWORTH

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.

HOUSE CONCURRENT RESOLUTION NO. 23— BY REPRESENTATIVES HOFFMANN AND CARPENTER AND SENATORS THOMPSON AND WALSWORTH

A CONCURRENT RESOLUTION

To recognize Wednesday, April 17, 2019, as March of Dimes Day at the state capitol.

HOUSE CONCURRENT RESOLUTION NO. 29— BY REPRESENTATIVE STEVE CARTER

A CONCURRENT RESOLUTION

To commend Community Coffee on its centennial celebration.

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns listing names: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hensgens, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Peterson, Price, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White. Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for April 24, 2019, were announced:

Table with 3 columns: Committee Name, Time, Room. Commerce (9:30 A.M., Room E), Health and Welfare (9:30 A.M., Hainkel Room), Insurance (10:00 A.M., Room A), Senate and Gov't Affairs (10:00 A.M., Room F)

Adjournment

On motion of Senator Thompson, at 6:10 o'clock P.M. the Senate adjourned until Wednesday, April 24, 2019, at 4:00 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

