

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

TENTH 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

Thursday, April 25, 2019

The Senate was called to order at 9:10 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	Erdey	Peacock
Allain	Hewitt	Price
Appel	Johns	Riser
Barrow	Long	Smith, G.
Carter	Milkovich	Thompson
Chabert	Mills	Walsworth
Colomb	Mizell	Ward
Cortez	Morrell	White
Donahue	Morrish	
Total - 26		

ABSENT

Bishop	Hensgens	Peterson
Boudreaux	LaFleur	Smith, J.
Claitor	Lambert	Tarver
Fannin	Luneau	
Gatti	Martiny	
Total - 13		

The President of the Senate announced there were 26 Senators present and a quorum.

Prayer

The prayer was offered by Pastor Caleb Martin, 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 Carter, the reading of the Journal was dispensed with and the Journal of April 24, 2019, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 78—
BY SENATOR DONAHUE

A RESOLUTION

To commend the Northlake Christian School boys soccer team upon winning the 2019 Louisiana High School Athletic Association Division IV state championship.

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

SENATE RESOLUTION NO. 79—
BY SENATOR DONAHUE

A RESOLUTION

To commend the St. Paul boys soccer team upon winning the 2019 Louisiana High School Athletic Division I state championship.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATOR LONG

A CONCURRENT RESOLUTION

To establish the Task Force on Protecting Children from Exposure to Pornography to study and make recommendations regarding all issues related to the exposure of children to pornography and the effect it has on children.

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

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 76—
BY SENATORS THOMPSON AND WALSWORTH

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Milton Vance Linder.

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

SENATE RESOLUTION NO. 77—
BY SENATOR BOUDREAU

A RESOLUTION

To commend the North Central High School basketball team on winning the Louisiana High School Athletic Association Class 1A state championship.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 47—
BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To commend Abby Frances Blaize upon being selected as a recipient of a 2019 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Woman of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gatti	Peacock
Allain	Hewitt	Price
Appel	Johns	Riser
Barrow	Lambert	Smith, G.
Bishop	Long	Tarver
Carter	Martiny	Thompson
Chabert	Milkovich	Walsworth
Claitor	Mills	Ward
Colomb	Mizell	White
Cortez	Morrell	
Donahue	Morrish	
Total - 31		

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NAYS

Total - 0

ABSENT

Boudreaux Hensgens Peterson
Erdey LaFleur Smith, J.
Fannin Luneau
Total - 8

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

SENATE CONCURRENT RESOLUTION NO. 48—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To commend Abigail Elizabeth Martin upon being selected as a recipient of a 2019 College Woman of Excellence Award and a Louisiana Legislative Women's Caucus Foundation Scholarship.

The concurrent resolution was read by title. Senator Mizell 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 Hewitt Price
Barrow Johns Riser
Bishop Lambert Smith, G.
Carter Long Tarver
Chabert Martiny Thompson
Claitor Milkovich Walsworth
Colomb Mills Ward
Cortez Mizell White
Donahue Morrell
Total - 32

NAYS

Total - 0

ABSENT

Boudreaux LaFleur Smith, J.
Fannin Luneau
Hensgens Peterson
Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 49—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To commend Victoria Martin Rocquin upon being selected as a recipient of a 2019 College Woman of Excellence Award and a Louisiana Legislative Women's Caucus Foundation Scholarship.

The concurrent resolution was read by title. Senator Mizell 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 Hewitt Price
Barrow Johns Riser

Bishop Lambert Smith, G.
Carter Long Tarver
Chabert Martiny Thompson
Claitor Milkovich Walsworth
Colomb Mills Ward
Cortez Mizell White
Donahue Morrell
Total - 32

NAYS

Total - 0

ABSENT

Boudreaux LaFleur Smith, J.
Fannin Luneau
Hensgens Peterson
Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 50—

BY SENATOR MIZELL

A CONCURRENT RESOLUTION

To commend Gabrielle Elyse Fontenot upon her receipt of a 2019 Women of Excellence Award from the Louisiana Legislative Women's Caucus Foundation in the category of High School Woman of Excellence and upon being a recipient of a Louisiana Legislative Women's Caucus Foundation Scholarship.

The concurrent resolution was read by title. Senator Mizell 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 Hewitt Price
Barrow Johns Riser
Bishop Lambert Smith, G.
Carter Long Tarver
Chabert Martiny Thompson
Claitor Milkovich Walsworth
Colomb Mills Ward
Cortez Mizell White
Donahue Morrell
Total - 32

NAYS

Total - 0

ABSENT

Boudreaux LaFleur Smith, J.
Fannin Luneau
Hensgens Peterson
Total - 7

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

SENATE CONCURRENT RESOLUTION NO. 51—

BY SENATOR MORRELL

A CONCURRENT RESOLUTION

To create and provide for the Louisiana Task Force on Lead-Free Water to study the problem of lead contamination in state and local water systems and recommend any action or legislation that the task force deems necessary.

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

SENATE CONCURRENT RESOLUTION NO. 52—

BY SENATOR BARROW

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review the recent decision by the Center for Medicare and Medicaid Services (CMS) to allow for Step Therapy for Part B treatments.

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

SENATE CONCURRENT RESOLUTION NO. 53—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Edwin A. Lombard upon being inducted into the Louisiana Political Hall of Fame.

The concurrent resolution was read by title. Senator Long 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	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Carter	Long	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	Ward
Cortez	Mizell	White
Donahue	Morrell	
Total - 32		

NAYS

Total - 0

ABSENT

Boudreaux	LaFleur	Smith, J.
Fannin	Luneau	
Hensgens	Peterson	
Total - 7		

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

SENATE CONCURRENT RESOLUTION NO. 54—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Paul Hardy upon being inducted into the Louisiana Political Hall of Fame.

The concurrent resolution was read by title. Senator Long 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	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Carter	Long	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	Ward
Cortez	Mizell	White

Donahue
Total - 32

Morrell

NAYS

Total - 0

ABSENT

Boudreaux
Fannin
Hensgens
Total - 7

LaFleur
Luneau
Peterson

Smith, J.

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

SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATOR MORRISH

A CONCURRENT RESOLUTION

To designate the week of September 1 through September 7, 2019, as Resiliency Week in Louisiana.

The concurrent resolution was read by title. Senator Morrish 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	Hewitt	Price
Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Carter	Long	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	Ward
Cortez	Mizell	White
Donahue	Morrell	
Total - 32		

NAYS

Total - 0

ABSENT

Boudreaux
Fannin
Hensgens
Total - 7

LaFleur
Luneau
Peterson

Smith, J.

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 24, 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. 305 HB No. 369 HB No. 464

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

House Bills and Joint Resolutions on First Reading

HOUSE BILL NO. 305—

BY REPRESENTATIVES FALCONER, AMEDEE, BACALA, BAGLEY, BAGNERIS, BERTHELOT, BILLIOT, BOURRIAQUE, CHAD BROWN, TERRY BROWN, CARMODY, CHANEY, CONNICK, COUSSAN, COX, DAVIS, DUBUISSON, EMERSON, GAINES, GAROFALO, GISCLAIR, GUINN, HILFERTY, HOLLIS, HORTON, HOWARD, HUVAL, IVEY, JACKSON, JEFFERSON, JORDAN, LACOMBE, NANCY LANDRY, LEBAS, LEOPOLD, LYONS, MARCELLE, MCMAHEN, MIGUEZ, GREGORY MILLER, JAY MORRIS, MOSS, NORTON, PEARSON, PIERRE, PUGH, PYLANT, SCHEXNAYDER, STAGNI, STOKES, THOMAS, TURNER, WHITE, WRIGHT, AND ZERINGUE

AN ACT

To enact R.S. 51:1409.1, relative to unfair trade practices; to provide with respect to elder persons and persons with disabilities; to provide for a private right of action; to provide with respect to fraudulent marketing through telephone, electronic mail, or text messaging; to provide for damages; to provide definitions; to provide for limitation of liability; and to provide for related matters.

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

HOUSE BILL NO. 369—

BY REPRESENTATIVE PIERRE

AN ACT

To enact Part XVII of Chapter 3 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:691 through 694, relative to the trucking industry; to create the Louisiana Trucking Research and Education Council; to provide for the purpose, membership, and salary of the council; to provide for the rights and powers of the council; to authorize the collection and payment of a surcharge; and to provide for related matters.

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

HOUSE BILL NO. 464—

BY REPRESENTATIVE BERTHELOT
AN ACT

To amend and reenact R.S. 40:1484.3(4), (15), (16), and (18), 1484.4(D), 1484.5, 1484.6(B), (D), (E)(2) and (3), 1484.7(B), (D), (E)(2) and (3), and (F), 1484.8, 1484.9(A), 1484.10, 1484.11(A) and (B), 1484.13(B)(6), (C), and (G), 1484.15(B) and (C), 1484.16(7), 1484.18(D) and (K), 1484.19(3), 1484.22, 1484.23(A)(introductory paragraph),(C), and (D), and 1484.24(A) and (B)(1), (2), and (3) and to enact R.S. 40:1484.3(24) through (27), relative to inflatable amusement devices, amusement attractions, and amusement rides; to provide for definitions; to provide for lost or damaged registration plates or decals; to require a person to obtain certain registration materials; to provide for manufacturer's recommendations and specifications relative to inspections; to require a certificate of inspection be submitted to an owner; to provide for the issuance and lifting of an order to cease and desist by the office of the state fire marshal; to change the amount of certain fines; to prohibit operation prior to registration; to provide for inspections of amusements operating at a fixed operating location; to provide for set-up inspections; to provide for inspector certifications; to provide a licensing exception for ride operators; to prohibit assisting unlicensed persons in certain activities relative to amusements; to require a firm to notify the office of state fire marshal of the termination of a licensed employee; to provide for inspections and audits; to remove certain fees; to allow an operator to provide certain documents only upon request; to provide for the office of the state fire marshal's authority over inspectors; to provide for restraining orders and permanent injunctions; to make technical changes; and to provide for related matters.

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

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 83—

BY REPRESENTATIVES JIMMY HARRIS, BOUIE, BOURRIAQUE, DAVIS, DUPLESSIS, HORTON, LACOMBE, LEGER, AND STOKES

AN ACT

To amend and reenact R.S. 47:6019(A)(1)(a) and (C) and to enact R.S. 47:6019(A)(1)(e), relative to tax credits; to provide for the tax credit for the rehabilitation of historic structures for nonresidential property; to extend the sunset of the tax credit; to provide for the maximum amount of credits granted per year; to provide for the awarding of credits; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 90—

BY REPRESENTATIVES MOSS, AMEDEE, BOUIE, BOURRIAQUE, DAVIS, DEVILLIER, DWIGHT, JIMMY HARRIS, HORTON, HUVAL, LACOMBE, JAY MORRIS, SCHEXNAYDER, AND STOKES AND SENATOR JOHNS

AN ACT

To enact R.S. 47:305.72 and to repeal R.S. 47:305.69, relative to sales and use tax; to authorize a rebate of state sales and use taxes for the purchase of certain motor vehicles; to provide for certain definitions; to provide for certain requirements; to require the promulgation of rules; 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.

HOUSE BILL NO. 102—

BY REPRESENTATIVE JONES

AN ACT

To amend and reenact R.S. 8:655(A)(introductory paragraph) and to enact R.S. 8:655(F) and R.S. 37:876(H), relative to the disposition of human remains; to provide for the disposition of the remains of a homicide victim; to prohibit a person responsible for the death of the victim from controlling the disposition of the victim's remains; and to provide for related matters.

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

HOUSE BILL NO. 155—

BY REPRESENTATIVE BERTHELOT

AN ACT

To amend and reenact R.S. 40:1567, relative to fire departments; to delete the requirement that a fee and mileage be paid pursuant to fire reports; to provide for the issuance and use of fire department identification numbers; to provide for the submission of fire reports; to provide for violations; to make technical corrections; to provide a definition; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 172—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 40:1603, relative to fire-resistant material applicators; to provide for training, registration, and certification; to provide definitions; to provide for violations; to provide for fines; to provide for enforcement; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 209—

BY REPRESENTATIVES DAVIS, BAGLEY, CARMODY, CREWS, DWIGHT, GAROFALO, HILFERTY, MAGEE, MCFARLAND, MCMAHEN, MIGUEZ, MOSS, SEABAUGH, STEFANSKI, STOKES, AND ZERINGUE AND SENATORS BOUDREAU, JOHNS, MARTINY, MORRISH, GARY SMITH, AND WHITE

AN ACT

To amend and reenact R.S. 47:305(D)(1)(i) and 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 a sales and use tax exemption for certain vehicles, aircraft, boats, and water craft used as demonstrators; to provide for restrictions and limitations on the use of the vehicles, aircraft, boats, and water craft; to provide for the 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.

HOUSE BILL NO. 273—

BY REPRESENTATIVE CARMODY

AN ACT

To amend and reenact R.S. 37:2150.1(2), (4)(a), (8), (10), and (11), 2151, 2152, 2154, 2155, 2156(A), (C)(1) and (2), (D), and (G), 2156.1(A)(introductory paragraph), (B) through (M), 2156.2(A)(I)(29) and (II)(1), 2157, 2158(A)(introductory paragraph), (1) through (5), (9), and (11), (B), (D), and (E), 2159(A) through (C), 2162(A) through (E) and (I) through (L), 2163(C) and (D), 2167(A), (B)(3), (C), and (D), and 2186(B)(3) and (C), to enact R.S. 37:2158(A)(12), and to repeal R.S. 37:2156.1(N), 2156.2(A)(IX), 2162(M), 2163(E), and 2167(E), relative to contractors; to provide for the State Licensing Board for Contractors; to provide for members and officers of the board; to provide for meeting notice; to provide with respect to licensing requirements; to remove obsolete provisions and antiquated language; to make technical changes; to provide definitions; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 309—

BY REPRESENTATIVE LEOPOLD

AN ACT

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

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

HOUSE BILL NO. 357—

BY REPRESENTATIVES JEFFERSON, ADAMS, BRASS, STEVE CARTER, FRANKLIN, GISCLAIR, GUINN, HILL, LARVADAIN, LEBAS, MARCELLE, NORTON, PIERRE, POPE, WHITE, AND WRIGHT

AN ACT

To provide relative to road designations; to authorize Grambling State University to redesignate Stadium and Facilities Drive, located on the campus of Grambling State University, as "Doug Williams Drive"; and to provide for related matters.

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

HOUSE BILL NO. 372—

BY REPRESENTATIVES TALBOT, AMEDEE, BACALA, BAGLEY, BARRAS, BERTHELOT, BISHOP, CARMODY, STEVE CARTER, CREWS, DAVIS, DUBUISSON, EDMONDS, GAROFALO, LANCE HARRIS, HENRY, HOFFMANN, HOLLIS, HORTON, HUVAL, IVEY, NANCY LANDRY, MCFARLAND, MCMAHEN, MIGUEZ, PEARSON, SCHEXNAYDER, SEABAUGH, SIMON, STOKES, THOMAS, TURNER, AND WRIGHT

AN ACT

To amend and reenact Civil Code Article 3493.10, Code of Civil Procedure Article 1732(1), and R.S. 22:1269, to enact R.S. 9:2800.25, and to repeal Civil Code Article 3492 and R.S. 22:333(E), relative to civil liability for damages and procedures

related to the recovery thereof; to extend the general prescriptive period for delictual actions; to prohibit the court from awarding a plaintiff the amount of medical expenses reduced or paid by a collateral source; to provide with respect to jury trials; to repeal the right of direct action against an insurer; to require annual rate filing with the commissioner of insurance; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 391—

BY REPRESENTATIVES FOIL, CHAD BROWN, CARMODY, CONNICK, COUSSAN, COX, HILFERTY, HOLLIS, JEFFERSON, JORDAN, LEOPOLD, LYONS, MCMAHEN, MOSS, PEARSON, PUGH, AND THOMAS AND SENATOR BISHOP

AN ACT

To enact Chapter 60 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51: 3201 through 3208, relative to economic development; to create The Veterans First Business Initiative; to provide for the certification of veteran-owned businesses; to provide for the creation of an insignia to identify a business as part of the initiative; to provide a database to search for veteran-owned businesses; to provide for community outreach and interagency cooperation; to provide for the promulgation of rules; to provide definitions; to provide legislative intent; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Commerce, Consumer Protection, and International Affairs.

HOUSE BILL NO. 425—

BY REPRESENTATIVES JACKSON, ABRAHAM, ABRAMSON, ADAMS, AMEDEE, ARMES, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BISHOP, BOURRIAQUE, TERRY BROWN, CARMODY, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, DAVIS, DWIGHT, EDMONDS, EMERSON, FALCONER, GAROFALO, GISCLAIR, LANCE HARRIS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUVAL, JORDAN, LACOMBE, NANCY LANDRY, LEBAS, MAGEE, MCFARLAND, MCMAHEN, MIGUEZ, GREGORY MILLER, MOORE, JAY MORRIS, MOSS, PUGH, RICHARD, SCHEXNAYDER, SEABAUGH, STAGNI, STEFANSKI, THOMAS, TURNER, WHITE, WRIGHT, AND ZERINGUE

A JOINT RESOLUTION

Proposing to add Article I, Section 20.1 of the Constitution of Louisiana, to provide that nothing in the constitution shall be construed to secure or protect a right to abortion or require the funding of abortion; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 457—

BY REPRESENTATIVE HOWARD

AN ACT

To enact R.S. 32:62, relative to strict speed enforcement zones; to require the posting of signage that reflects the existence of a strict speed enforcement zone; to require that such signage be posted on the portion of Louisiana Highway 6, in the village of Robeline; to establish requirements for notifying motorists; to prohibit the issuance of citations and collecting of fines under certain circumstances; to provide for definitions; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 481—

BY REPRESENTATIVES GARY CARTER, BAGNERIS, CONNICK, EDMONDS, GUINN, JACKSON, JAMES, TERRY LANDRY, LARVADAIN, LEOPOLD, LYONS, AND DUSTIN MILLER

AN ACT

To amend and reenact R.S. 47:463.73(G) and 463.88(C) and (D) and to enact R.S. 47:463.202, relative to motor vehicle special prestige license plates; to provide for the collection of an annual royalty fee and the fee distribution for the "Kappa Alpha Psi Fraternity, Inc." special prestige license plate; to establish the St.

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Michael the Archangel High School" special prestige license plate; to establish the "Best Bank" special prestige license plate; to provide for the creation, issuance, design, fees, distribution, and rule promulgation applicable to such license plate; to provide for the fees for such plates; and to provide for related matters.

The bill 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. 36— BY REPRESENTATIVE BISHOP

A CONCURRENT RESOLUTION

To designate April 25, 2019, as Louisiana Society of Professional Surveyors Day at the Louisiana State Capitol.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Appel, Barrow, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Total - 30; Gatti, Hewitt, Johns, Lambert, Long, Martiny, Milkovich, Mills, Mizell, Morrell; Morrish, Peacock, Price, Riser, Smith, G., Tarver, Thompson, Walsworth, Ward, White.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Allain, Bishop, Boudreaux, Total - 9; Fannin, Hensgens, LaFleur; Luneau, Peterson, Smith, J.

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. 29— BY SENATOR CORTEZ

AN ACT

To enact R.S. 37:23.3, relative to professional or occupational licensing boards or commissions; to prohibit certain actions by a board or commission relative to the providing of testimony or records to a legislative body; to provide relative to consent decrees; to provide relative to and prohibit certain disciplinary action by a board or commission; to provide for certain terms, conditions, definitions, and procedures; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 41— BY SENATOR MILLS

AN ACT

To amend and reenact R.S. 22:1657(B) and to enact Part VII of Chapter 14 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1252 through 1254, Part IX of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1360.121 through 1360.123, and Chapter 36 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2861 through 2871, relative to regulation of pharmacy benefit managers; to provide legislative intent and public health policy; to provide for protection of the public; to provide for general applicability; to provide for licensure by the Louisiana Department of Insurance, Louisiana Board of Pharmacy, and Louisiana State Board of Medical Examiners; to provide for permitting by the Louisiana Board of Pharmacy; to provide for minimum licensure and permit criteria; to provide for rulemaking; to provide for license fees; to provide for penalties; to provide for unfair trade practices; to provide for enforcement; to provide for authority of the attorney general; to provide for written notice; to provide for a hearing; to provide for an appeal; to provide for a cause of action under the Unfair Trade Practices and Consumer Protection Law; to provide for severability; to provide for an effective date; 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. 41 by Senator Mills

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 22:1657(B)" and insert "R.S. 22:1863(2)" and after "to enact" insert "R.S. 22:1863(9) and 1867,"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 and insert "and Chapter 36 of Title 40 of the"

AMENDMENT NO. 3

On page 1, line 9, at the end of the line, delete "," and insert ";"

AMENDMENT NO. 4

On page 1, delete line 10 and insert "to"

AMENDMENT NO. 5

On page 1, line 12, delete "to provide for license fees;"

AMENDMENT NO. 6

On page 2, line 2, delete "R.S. 22:1657(B)" and insert "R.S. 22:1863(2)" and after "reenacted" insert "and R.S. 22:1863(9) and 1867 are hereby enacted"

AMENDMENT NO. 7

On page 2, delete lines 3 through 21 and insert the following: "\$1863. Definitions

As used in this Subpart, the following definitions apply:

(2) "Maximum Allowable Cost List" means a listing of the National Drug Code or other methodology, directly or indirectly, used by a pharmacy benefit manager setting the maximum allowable cost on which reimbursement payment to a pharmacy or pharmacist may be based: for a generic drug, brand-name drug, biologic product, or other prescription drug. "Maximum allowable cost list" includes, without limitation:

- (a) Average acquisition cost, including national average drug acquisition cost.
(b) Average manufacturer price.
(c) Brand effective rate or generic effective rate.
(d) Discount indexing.
(e) Federal upper limits.
(f) Whole acquisition cost.

(g) Any other term that a pharmacy benefit manager or a healthcare insurer may use to establish reimbursement rates to a pharmacist or pharmacy for pharmacist services.

(9) "Spread pricing" means any amount a pharmacy benefit manager charges or claims from a health plan provider or managed care organization for payment of a prescription or for pharmacy services that is in excess of the amount the pharmacy benefit manager paid to the pharmacist or pharmacy who filled the prescription or provided the pharmacy services.

§1867. Prohibition on spread pricing
A pharmacy benefit manager is prohibited from conducting or participating in spread pricing in this state.

AMENDMENT NO. 8
 On page 2, line 23, after "1254" delete the remainder of the line and delete line 24 and insert "is"

AMENDMENT NO. 9
 On page 3, line 2, delete "**license**" and insert "**permit**"

AMENDMENT NO. 10
 On page 3, line 9, delete "**licensure**" and insert "**permit**"

AMENDMENT NO. 11
 On page 3, delete lines 16 through 19 and insert the following:
"C. The board has the authority and responsibility to assess fees upon any entity practicing pharmacy in this state in accordance with R.S. 37:1184."

AMENDMENT NO. 12
 On page 3, delete lines 23 through 29, page 4, and on page 5, lines 1 through 13

AMENDMENT NO. 13
 On page 5, delete lines 18 through 29 and on page 6, delete lines 1 through 23

AMENDMENT NO. 14
 On page 6, line 24, delete "**F.**" and after "**It is**" delete "**further**"

AMENDMENT NO. 15
 On page 6, line 25, after "**license**" insert "**, permit, and monitor**"

AMENDMENT NO. 16
 On page 7, delete lines 9 and 10

AMENDMENT NO. 17
 On page 7, line 11, change "**(4)**" to "**(3)**"

AMENDMENT NO. 18
 On page 7, line 12, change "**(5)**" to "**(4)**"

AMENDMENT NO. 19
 On page 7, line 14, change "**(6)**" to "**(5)**"

AMENDMENT NO. 20
 On page 7, line 16, change "**(7)**" to "**(6)**"

AMENDMENT NO. 21
 On page 7, line 17, change "**(8)**" to "**(7)**"

AMENDMENT NO. 22
 On page 7, line 24, change "**(9)**" to "**(8)**"

AMENDMENT NO. 23
 On page 7, line 28, change "**(10)**" to "**(9)**"

AMENDMENT NO. 24
 On page 8, line 6, delete "**Fiduciary duty**" and insert "**Duties**"

AMENDMENT NO. 25
 On page 8, line 7, delete "**be a fiduciary to**" and insert "**owe**"

AMENDMENT NO. 26
 On page 8, line 9, after "**and to the**" delete the remainder of the line and delete line 10 and insert "**entities that have entered into a contract with the pharmacy benefit manager the duties of**"

AMENDMENT NO. 27
 On page 8, line 11, after "**good faith,**" insert "**honesty,**"

AMENDMENT NO. 28
 On page 8, line 13, delete "**fiduciary**"

AMENDMENT NO. 29
 On page 9, delete lines 19 and 20 and insert "**be licensed as required by the Louisiana Insurance Code.**"

AMENDMENT NO. 30
 On page 9, line 27, delete "**licensure and**"

AMENDMENT NO. 31
 On page 9, line 28, delete "**license and**"

AMENDMENT NO. 32
 On page 11, line 21, delete "**licensed or**"

AMENDMENT NO. 33
 On page 11, line 24, delete "**licensure and**"

AMENDMENT NO. 34
 On page 11, line 28, delete "**license**" and on line 29, delete "**and**"

AMENDMENT NO. 35
 On page 12, line 7, delete "**license and**"

AMENDMENT NO. 36
 On page 12, line 11, delete "**license or**"

AMENDMENT NO. 37
 On page 12, line 13, after "**of the**" delete the remainder of the line and insert "**permit on probation.**"

AMENDMENT NO. 38
 On page 12, delete lines 16 through 29, page 13, and on page 14, lines 1 through 4 and insert the following:

"§2869. Pharmacy benefit manager monitoring advisory council; membership; functions

A. There is hereby created a pharmacy benefit manager monitoring advisory council, hereinafter referred to as "advisory council", that shall consist of the following members, each of whom may appoint a designee:

(1) The commissioner of the Louisiana Department of Insurance.

(2) The president of the Louisiana State Board of Medical Examiners.

(3) The president of the Louisiana Board of Pharmacy.

(4) The attorney general.

(5) The director of the Louisiana Department of Justice Consumer Affairs Division.

(6) The secretary of the Louisiana Department of Health.

(7) The president of the Louisiana Academy of Physicians Assistants.

(8) The president of the Louisiana State Medical Society.

(9) The president of the Louisiana Association of Nurse Practitioners.

(10) The president of the Louisiana Pharmacists Association.

(11) The president of the Louisiana Independent Pharmacies Association.

(12) The president of the National Association of Chain Drug Stores.

(13) The president of the Pharmaceutical Research and Manufacturers of America.

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(14) The president of the Louisiana Academy of Medical Psychologists.

(15) The president of the Louisiana Association of Health Plans.

(16) The president of a pharmacy benefit manager licensed by the Louisiana Board of Pharmacy, selected by the Louisiana affiliate of the Pharmaceutical Care Management Association from a list of interested and qualified individuals.

B. The members of the advisory council shall serve at the pleasure of their respective appointing authorities. Seven members shall constitute a quorum for the transaction of all business. The members shall elect a chairman and vice chairman whose duties shall be established by the advisory council. The member elected to serve as chairman shall fix a time and place for regular meetings of the advisory council, which shall meet at least quarterly. The advisory council shall establish policies and procedures necessary to carry out its duties. Expenses for the administrative staffing of the advisory council shall be provided for from the licensing fees paid by pharmacy benefit managers and may be transferred between state agencies by memorandum of understanding or cooperative endeavor agreement.

C. The commissioner may utilize the full advisory council or individual member agency expertise for the purpose of investigating a complaint against a pharmacy benefit manager or conducting an audit of a pharmacy benefit manager. In exercising the authority provided for in this Subsection, the same provisions of confidentiality applicable to the Department of Insurance and Louisiana Board of Pharmacy during an investigation shall apply to the advisory council or individual member agencies whose expertise is being utilized. The advisory council may meet in executive session, as necessary, to discuss matters involving an active investigation.

D. The advisory council shall provide monitoring of pharmacy benefit managers in Louisiana to advise the legislature, commissioner of insurance, and Louisiana Board of Pharmacy on the most effective and efficient manner of regulation of pharmacy benefit managers to ensure the protection of the public. Any licensed pharmacy benefit manager operating in Louisiana shall provide full cooperation with the advisory council on matters including but not limited to those set forth in Subsection E of this Section.

E. The authority of the advisory council shall include but not be limited to matters involving the licensure and regulation of pharmacy benefit managers set forth in Title 22, Title 37, and Title 40 of the Louisiana Revised Statutes of 1950, applicable rules, and federal laws or rules relative to pharmacy benefit managers."

AMENDMENT NO. 39

On page 14, line 11, after "manager" insert ":" and delete the remainder of the line

AMENDMENT NO. 40

On page 17, delete lines 23 through 29, and on page 18, delete lines 1 through 10

AMENDMENT NO. 41

On page 18, line 11, change "(15)" to "(14)"

AMENDMENT NO. 42

On page 18, line 13, change "(16)" to "(15)"

AMENDMENT NO. 43

On page 18, line 16, change "(17)" to "(16)"

AMENDMENT NO. 44

On page 18, line 19, change "(18)" to "(17)"

AMENDMENT NO. 45

On page 18, line 22, change "(19)" to "(18)"

AMENDMENT NO. 46

On page 18, line 28, change "(20)" to "(19)"

AMENDMENT NO. 47

On page 19, line 5, change "(21)" to "(20)"

AMENDMENT NO. 48

On page 19, line 6, after "Insurance" delete the remainder of the line and insert "and a permit in good standing with the Louisiana"

AMENDMENT NO. 49

On page 19, line 7, after "Pharmacy" delete the remainder of the line

AMENDMENT NO. 50

On page 19, line 24, after "insurance" delete "," and insert "and the Louisiana" and after "Pharmacy" delete the remainder of the line and on line 25, delete "Medical Examiners,"

AMENDMENT NO. 51

On page 20, line 5, at the end of the line, delete "," and insert "or" and on line 6, after "Act" insert ";" and delete the remainder of the line

AMENDMENT NO. 52

On page 22, line 4, after "insurance" delete ", the" and insert "and the Louisiana" and after "Pharmacy" insert ";" and delete the remainder of the line and delete line 5

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. 46—

BY SENATOR PEACOCK

AN ACT

To enact Chapter 31 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2101 through 2109, relative to cybersecurity; to authorize private entities to monitor, share, and receive certain information relative to cyber threats; to authorize certain defensive measures; to provide relative to certain security and information controls; to provide for definitions; to provide for immunity; to provide for public records exemptions; and for confidentiality of certain information; to provide for annual reporting of certain information by state entities; to provide for certain terms, conditions, and procedures; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 46 by Senator Peacock

AMENDMENT NO. 1

On page 1, line 3 change "2109" to "2110"

AMENDMENT NO. 2

On page 1, line 12 change "2109" to "2110"

AMENDMENT NO. 3

On page 1, between lines 16 and 17, insert "§2101.1. Legislative intent; federal law"

The purpose of this Act is to provide a framework for sharing cybersecurity information under Louisiana law that is consistent with the federal law for sharing of cybersecurity information. To the extent that any provision of this Act is inconsistent with or conflicts with the requirements of the Federal Cybersecurity Information Sharing Act of 2015, 6 U.S.C.A. §1501 et seq., such provision of this Act shall not apply and the applicable federal law shall control."

AMENDMENT NO. 4

On page 2, line 4, after "Justice" insert ", investigation division"

AMENDMENT NO. 5

On page 6, delete lines 14 through 16 and insert "**information**" shall refer to "**personal information**" as defined in La. R.S. 51:3073(4)(a)."

AMENDMENT NO. 6

On page 8, delete lines 1 through 3 and insert "**identifies specific individuals from unauthorized access or acquisition.**"

AMENDMENT NO. 7

On page 8, delete lines 9 through 11 and insert "**(d) Expressly state in the subject line of the email to the appropriate entity that the private entity is conveying a "Cyber Threat Indicator" or "Cyber Defensive Measure."**"

AMENDMENT NO. 8

On page 8, line 12 change "4" to "3"

AMENDMENT NO. 9

On page 9, delete lines 23 through 28 and insert "**If conducted in accordance with the provisions of this Chapter, there shall be no cause of action against any private entity:**

(1) For the sharing or receipt of a cyber threat indicator or defensive measure with another private entity, a federal or state entity, or an appropriate entity.

(2) For the monitoring of an information system or information stored on, processed by, or passed through such information system, of another private entity, a federal or state entity, or an appropriate entity.

(3) For the monitoring of a private entity's information system or information stored on, processed by, or passed through such information system, after receipt of a cyber threat indicator or defensive measure from another private entity, federal or state entity, or an appropriate entity."

AMENDMENT NO. 10

On page 10, line 3 delete "**to regulate, including any enforcement action,**" and insert "**for the criminal prosecution of**"

AMENDMENT NO. 11

On page 10, between lines 27 and 28 insert "**§2108. Compliance with Database Security Breach Notification Law**
Nothing in this Chapter shall relieve a person or entity from compliance with the Database Security Breach Notification Law, R. S. 51:3071 et seq., specifically including but not limited to, the requirements under R.S. 51:3074."

AMENDMENT NO. 12

On page 10, line 28 change "**2108**" to "**2109**"

AMENDMENT NO. 13

On page 11, delete lines 8 and 9.

AMENDMENT NO. 14

On page 11, line 10 change "**2109**" to "**2110**"

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

SENATE BILL NO. 66—

BY SENATOR RISER

AN ACT

To amend and reenact R.S. 42:26(C) and 28 and to enact R.S. 42:26(D), relative to open meetings of public bodies; to provide with respect to the open meetings law; to provide for enforcement of the open meetings law; to provide for an increase in the civil penalty for a knowing and willful violation of the open meetings law; and to provide for related matters.

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

SENATE BILL NO. 73—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 22:1157(A) and to enact R.S. 22:1157(D), relative to dental reimbursement or payments; to provide with respect to credit card payments; to provide with respect to the restriction of methods of payment; and to provide for related matters.

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

SENATE BILL NO. 101—

BY SENATOR WHITE

AN ACT

To amend and reenact R.S. 6:243, relative to banks; to provide relative to the powers and function of state banks; to provide relative to immovable property and dealings; to authorize certain actions; provide certain requirements, terms, conditions, procedures, and effects; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 101 by Senator White

AMENDMENT NO. 1

On page 2, line 14, delete "**(D)(2) or (E)(1)**" and insert "**(E)(2) or (F)(1)**"

AMENDMENT NO. 2

On page 2, delete lines 28 and 29 and on page 3, delete lines 1 through 19, and insert

"C.(1) For immovable property provided for in Paragraphs (A)(2), (A)(3), and (A)(4) of this Section, a state bank shall obtain, within a reasonable time before or after the property is acquired, a current appraisal of the fair market value of any such property and shall account for the property in accordance with generally accepted accounting principles (GAAP). For purposes of this Paragraph, a state bank may perform an evaluation in lieu of an appraisal for residential real estate valued at or below two hundred fifty thousand dollars and for commercial real estate valued at or below five hundred thousand dollars.

(2) An additional appraisal shall be required for immovable property every third calendar year from the date the initial appraisal was obtained pursuant to Paragraph (1) of this Subsection. For purposes of this Paragraph, a state bank may perform an evaluation in lieu of an appraisal for residential immovable property valued at or below two hundred fifty thousand dollars and for commercial immovable property valued at or below five hundred thousand dollars.

(3) Notwithstanding Paragraph (2) of this Subsection, for commercial immovable property valued above five hundred thousand dollars, an additional appraisal shall be required every second calendar year from the date the initial appraisal was obtained pursuant to Paragraph (1) of this Subsection.

D. The commissioner may require additional appraisals or evaluations of immovable property provided for in Paragraphs (A)(2), (A)(3) and (A)(4) of this Section, not more often than annually, if the commissioner:

(1) Considers the appraisal or evaluation necessary for safety and soundness reasons; or

(2) Considers the appraisal or evaluation necessary due to a material decline in the condition or market value of a specific property or local real estate market.

For purposes of this Subsection, the commissioner may require an appraisal for immovable properties of any value pursuant to this Section, regardless of the thresholds established in this Section."

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AMENDMENT NO. 3

On page 3, line 20, change "D." to "E."

AMENDMENT NO. 4

On page 4, line 6, change "(D)." to "(E)."

AMENDMENT NO. 5

On page 4, line 16, change "E." to "F."

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

SENATE BILL NO. 109—

BY SENATORS BARROW, BOUDREAUX, CHABERT, CLAITOR, ERDEY, LUNEAU AND MILLS

AN ACT

To amend and reenact R.S. 46:56(F)(7)(c) and 1403.1, to enact Subpart D-4 of Part II of Chapter 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:288.1 through 288.10, and to repeal R.S. 46:286.24, relative to youth in the foster care program; to provide for the release of certain information regarding the foster child; to provide for extended stay in foster care while in a transitional placing program; to provide for an extended foster care program; to provide for definitions; to provide for program eligibility; to provide for a voluntary placement agreement; to provide for a written court report; to provide for court jurisdiction; to provide for internal administrative reviews; to provide for program participation termination; to provide for extension of an adoption or guardianship subsidy; to provide for rulemaking; to provide for the repeal of extended foster care for high school students; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Health and Welfare. The bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

SENATE BILL NO. 116—

BY SENATOR HENSGENS

AN ACT

To enact R.S. 51:51(G), relative to going-out-of-business sale licenses; to provide for the transfer of certain going-out-of-business sale license deposits to the unclaimed property division of the Department of the Treasury; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 126—

BY SENATOR PRICE

AN ACT

To amend and reenact R.S. 6:315.1(A) and 659 and to enact R.S. 6:327(E), relative to credit unions; to add credit unions to those financial institutions that may utilize abandoned safety deposit box procedures; to provide relative to the transfer of certain deposits to the surviving spouse or heirs upon the death of an intestate depositor; to allow credit unions to expel members under limited circumstances; to provide terms and conditions; and to provide for related matters.

Reported with amendments by the Committee on Commerce, Consumer Protection, and International Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce, Consumer Protection and International Affairs to Original Senate Bill No. 126 by Senator Price

AMENDMENT NO. 1

On page 1, line 2, delete "327(E)" and insert "659.2"

AMENDMENT NO. 2

On page 1, line 10, delete "327(E)" and insert "659.2"

AMENDMENT NO. 3

On page 2, delete lines 7 through 10

AMENDMENT NO. 4

On page 3, after line 5, insert

"* * *

§659.2. Federally insured credit unions; abandonment of safety deposit box

The provisions of R.S. 6:327 shall apply to abandonment of a safety deposit box leased from a federally insured credit union."

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

SENATE BILL NO. 127—

BY SENATOR LONG

AN ACT

To enact R.S. 37:798, relative to direct primary care agreements with a dental practice; to provide definitions; to set forth the written requirements for direct primary care agreements with a dental practice; to provide that a direct primary care agreement does not constitute health or dental insurance; to provide terms and conditions; 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. 127 by Senator Long

AMENDMENT NO. 1

On page 1, line 5, after "insurance;" insert "to provide for prohibited and authorized practices;"

AMENDMENT NO. 2

On page 4, between lines 13 and 14, insert the following:

"I. A direct dental practice shall not: (1) Enter into a participating provider contract with any health or dental insurance issuer or with any health or dental insurance issuer's contractor or subcontractor to provide health care or dental services through a direct agreement except as set forth in Subsection J of this Section. (2) Submit a claim for payment to any health or dental insurance issuer or any health or dental insurance issuer's contractor or subcontractor for health care or dental services provided to direct patients as covered by their direct agreement. (3) Pay for healthcare or dental services covered by a direct agreement rendered to direct patients by providers other than the providers in the direct practice or their employees, except as described in Subsection J of this Section.

J. A direct dental practice may: (1) Enter into a participating provider contract with a health or dental insurance issuer for purposes other than payment of claims for services provided to direct patients through a direct agreement. Such dentists shall be subject to all other provisions of the participating provider contract applicable to participating providers. (2) Pay for charges associated with: (a) Dispensing, at no additional cost to the direct patient, of prescription drugs prescribed by the direct provider in accordance with state law and regulations promulgated by the board. (b) Dental laboratory products ordered for a direct patient. (3) Charge an additional fee to direct patients for supplies, medications, materials, and devices provided to direct patients that are specifically excluded under the agreement, provided the direct practice notifies the direct patient of the additional charge, prior to their administration or delivery."

AMENDMENT NO. 3

On page 4, line 14, delete "I." and insert "K."

AMENDMENT NO. 4

On page 4, line 16, delete "J." and insert "L."

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. 145—

BY SENATOR JOHNS

AN ACT

To amend and reenact Children's Code Art. 606(A)(6) and (7), to enact R.S. 46:62, and to repeal Children's Code Art. 606(A)(8), relative to human trafficking; to provide relative to human trafficking and trafficking of children for sexual purposes as grounds for a child in need of care allegation; to create a coalition to develop a model for delivery of services to victims of human trafficking; 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. 145 by Senator Johns

AMENDMENT NO. 1

On page 1, delete lines 2 through 7, and insert the following:
"To enact R.S. 46:62, relative to human trafficking; to establish a coalition; to provide for development of a human trafficking victim services delivery model plan; to provide for minimum plan goals; to provide for rulemaking; to provide for reporting; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 9 through 17, and on page 2, delete lines 1 through 8

AMENDMENT NO. 3

On page 2, line 9, change "Section 2." to "Section 1."

AMENDMENT NO. 4

On page 2, line 20, after "to" insert "juvenile"

AMENDMENT NO. 5

On page 3, line 5, change "February 1" to "June 30"

AMENDMENT NO. 6

On page 3, delete line 6

AMENDMENT NO. 7

On page 3, line 7, change "Section 4." to "Section 2."

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. 150—

BY SENATOR THOMPSON

AN ACT

To enact R.S. 6:412(D), relative to the unauthorized use of certain terms as part of a name or title; to provide exceptions; and to provide for related matters.

Reported favorably by the Committee on Commerce, Consumer Protection, and International Affairs. The bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 169—

BY SENATOR BARROW

AN ACT

To amend and reenact R.S. 40:31.11, 31.12(2) and (5), the introductory paragraph of 31.13, 31.13(5) and (6), 31.14, and 31.16(A) and (B), and to repeal R.S. 40:31.13(3) and 31.16(A)(3), relative to the statewide immunization registry; to provide for terminology clarification from day care centers to early learning centers; to provide for statutory naming of the registry as the Louisiana Immunization Network (LINKS); to provide for applicability to clients who are not children; 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. 171—

BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 49:1401, relative to reports required of executive branch agencies; to provide relative to review of mandated reports; to provide for expiration of the mandates; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 171 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 8, change "C" to "D"

AMENDMENT NO. 2

On page 1, line 14, change "C" to "D"

AMENDMENT NO. 3

On page 2, between lines 11 and 12, insert:

"C. The agency mandated to produce the report shall, not later than October first of the calendar year two years before the year of expiration of the mandate, notify the agency or executive- or legislative-branch entity designated to receive the report of the pending expiration of the mandate via electronic mail. The notification shall include at a minimum a citation of the original mandate requiring the report, a copy of the most recent report, and an estimate of the agency resources including costs expended in producing the report. If the report has no designated recipient, the agency mandated to produce the report shall notify the legislature of the pending expiration. A notification to the legislature shall be as provided for reports to the legislature in R.S. 24:772."

AMENDMENT NO. 4

On page 2, line 12, change "C." to "D."

AMENDMENT NO. 5

On page 2, line 13, between "other" and "entity" insert "executive-branch"

AMENDMENT NO. 6

On page 2, line 26, after "24:772" insert "and shall include a copy of the notification documents received from the agency mandated to produce the report"

AMENDMENT NO. 7

On page 3, line 1, change "D" to "C"

AMENDMENT NO. 8

On page 3, between lines 2 and 3, insert:

"(3) A mandate to submit a report to the legislature, the Senate, or the House of Representatives, or to a legislative officer, committee, or other legislative entity or a mandate to produce a report with no designated recipient may be extended an additional five years by an enactment of the legislature or by the same procedure that originally mandated the report."

AMENDMENT NO. 9

On page 3, line 3, change "(3)" to "(4)"

AMENDMENT NO. 10

On page 3, line 4, change "(1) or (2)" to "(1), (2), or (3)"

AMENDMENT NO. 11

On page 3, delete lines 6 through 18

AMENDMENT NO. 12

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

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

SENATE BILL NO. 205—

BY SENATOR MIZELL

AN ACT

To enact Children's Code Arts. 603(17)(I), 610(I) and 610.1, relative to human trafficking; to require certain mandatory reporters to report to law enforcement if a child is a victim of human trafficking or trafficking of children for sexual purposes; to provide for mandatory reporting of a crime against a child; to define mandatory reporters; to provide for reporting of child abuse to state agencies; to provide for related matters.

Reported by substitute by the Committee on Health and Welfare. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO.— (Substitute of Senate Bill No. 205 by Senator Mizell)

BY SENATOR MIZELL

AN ACT

To amend and reenact Children's Code Art. 603(17)(a), and R.S. 15:541.1(A)(3), (B)(1)(a) and (D) and R.S. 40:2175.3 to enact R.S. 15:541(E) and R.S. 40:2175.7, relative to human trafficking; to require certain mandatory reporters to report human trafficking and certain sexual based crimes to law enforcement, whether the victim is an adult or a minor; to provide for mandatory reporters related to child abuse and neglect; to provide for training; to provide for forms; to provide for rules and regulations; to provide for legislative intent; to provide for the posting of the National Human Trafficking Resource Center hotline; to provide for the texting of information to obtain help and services for human trafficking victims; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Children Code Art. 603(17)(a) is hereby amended and reenacted to read as follows:

Art. 603. Definitions

As used in this Title:

* * *

(17) "Mandatory reporter" is any of the following individuals:

(a) "Health practitioner" is any individual who provides healthcare services, including a physician, surgeon, physical therapist, dentist, resident, intern, hospital staff member, **an outpatient abortion facility staff member**, podiatrist, chiropractor, licensed nurse, nursing aide, dental hygienist, any emergency medical technician, a paramedic, optometrist, medical examiner, or coroner, who diagnoses, examines, or treats a child or his family.

* * *

Section 2. R.S. 15:541.1(A)(3), (B)(1)(a) and (D) and to enact R.S. 15:541(E) are hereby enacted to read as follows:

§541.1. Posting of the National Human Trafficking Resource Center hotline; content; languages; notice; civil penalty

A. All of the following establishments shall be required to post information regarding the National Human Trafficking Resource Center hotline:

* * *

(3)(a) Every full-service fuel facility adjacent to an interstate highway,

(b) or Every highway rest stop.

* * *

B.(1)(a) Such posting shall be no smaller than eight and one-half inches by eleven inches and shall contain the following wording in bold typed print of not less than fourteen-point font:

"If you or someone you know is being forced to engage in any activity and cannot leave, whether it is commercial sex, housework, farm work, or any other activity, call the National Human Trafficking Resource Center hotline at 1-888-373-7888 **or text "Be Free" to 233733 in order** to access help and services."

* * *

D.(1) In addition to the posting required in Subsection B of this Section, beginning on January 1, 2020, each establishment listed in Subsection A of this Section shall affix a flyer to the inside of the door to each bathroom stall at the establishment.

(2) The flyer shall be designed by the Greater New Orleans Human Trafficking Task Force, with the approval of the commissioner of the office of alcohol and tobacco control, and shall be no larger than eight and one-half inches by eleven inches.

(3) No later than December 1, 2019, the Greater New Orleans Human Trafficking Task Force shall transfer the flyer in an electronic format to the commissioner for posting on the website for the office of alcohol and tobacco.

E. A civil penalty in accordance with R.S. 26:96(A) may be assessed for each violation of this Section. The departments listed in Subsection C of this Section or any law enforcement agency with jurisdiction are charged with the enforcement of this Section.

* * *

Section 3. R.S. 40:2175.3 is hereby amended and reenacted and R.S. 40:2175.7 is hereby enacted to read as follows:

§2175.3. Definitions

For purposes of this Part, the following definitions apply:

(1) "Abortion" means any surgical procedure performed after pregnancy has been medically verified with the intent to cause the termination of the pregnancy other than for the purpose of producing a live birth, removing an ectopic pregnancy, or removing a dead fetus caused by a spontaneous abortion.

(2) **"Abortion facility staff member" means an individual who is a person who is not an abortion clinic professional but who is employed by or contracts with an outpatient abortion facility to provide services and who has any contact with patients at the facility.**

(3) **"Abortion facility professional" means an individual who is a physician, surgeon, resident, intern, licensed nurse, nursing aide, emergency medical technician, or a paramedic who diagnoses, examines, or treats a female patient at an outpatient abortion facility.**

(4) "First trimester" means the time period up to fourteen weeks after the first day of the last menstrual period.

~~(3)~~(5) "Licensee" means the person, partnership, corporation, association, organization, or professional entity on whom rests the ultimate responsibility and authority for the conduct of the outpatient abortion facility.

~~(4)~~(6) "Licensing agency" means the Louisiana Department of Health.

(7) **"Mandatory reporter to law enforcement" means any abortion facility staff member or any abortion facility professional.**

~~(5)~~(8) "Outpatient abortion facility" means any outpatient facility, other than a hospital as defined in R.S. 40:2102 or an ambulatory surgical center as defined in R.S. 40:2133, in which any second trimester or five or more first trimester abortions per calendar year are performed.

~~(6)~~(9) "Second trimester" means the time period from fourteen to twenty-three weeks after the first day of the last menstrual period.

~~(7)~~(10) "Secretary" means the secretary of the Louisiana Department of Health.

* * *

§2175.7. Mandatory reports to law enforcement; human trafficking awareness and prevention training

A.(1) Notwithstanding any claim of privileged communication, any mandatory reporter to law enforcement who has cause to believe that a minor or adult female who presents at an outpatient abortion facility is a victim of human trafficking, trafficking of children for sexual purposes, rape, incest, or coerced abortion shall report such crime immediately to the sheriff's department in the parish or local police department where the outpatient abortion facility is located. If the victim does not reside in the parish where the outpatient abortion facility is located, the mandatory reporter to law enforcement shall also report the crime to the law enforcement agency in the parish or county in which the victim resides, if reasonably ascertainable.

(2) The Department of Health shall promulgate a form which may be used by a mandatory reporter to law enforcement to report a crime, pursuant to Paragraph (1) of this Subsection, to the parish or local law enforcement agency.

B.(1) Every mandatory reporter to law enforcement shall certify to the Department of Health that they have participated in a training on human trafficking awareness and prevention on an annual basis.

(2) The Department of Health shall promulgate rules to provide for compliance of this Subsection utilizing the online educational videos on human trafficking awareness and prevention provided by the United States Department of Health and Human Services, Administration for Children and Families, Office on Trafficking in Persons or such training tools as may be adopted by the department.

Section 4. The legislature finds and declares all of the following:

- (1) Human trafficking is a major public health problem.
- (2) Outpatient abortion facilities are uniquely likely to have contact with victims who are the subject of human trafficking for sexual purposes.

Section 5. If any provision or item of this Act, or the application thereof, is held invalid, such invalidity shall not affect other provisions, items, or applications of the Act which can be given effect without the invalid provision, item, or application and to this end the provisions of this Act are hereby declared severable.

On motion of Senator Mills, the committee substitute bill was adopted and becomes Senate Bill No. 238 by Senator Mizell, substitute for Senate Bill No. 205 by Senator Mizell.

SENATE BILL NO. 238— (Substitute of Senate Bill No. 205 by Senator Mizell)

BY SENATOR MIZELL

AN ACT

To amend and reenact Children's Code Art. 603(17)(a), and R.S. 15:541.1(A)(3), (B)(1)(a) and (D) and R.S. 40:2175.3 to enact R.S. 15:541(E) and R.S. 40:2175.7, relative to human trafficking; to require certain mandatory reporters to report human trafficking and certain sexual based crimes to law enforcement, whether the victim is an adult or a minor; to provide for mandatory reporters related to child abuse and neglect; to provide for training; to provide for forms; to provide for rules and regulations; to provide for legislative intent; to provide for the posting of the National Human Trafficking Resource Center hotline; to provide for the texting of information to obtain help and services for human trafficking victims; and to provide for related matters.

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

SENATE BILL NO. 212—

BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 44:4.1(B)(11) and 4.1(B)(11) as amended by Section 2 of Act 371 of the 2018 Regular Session and to enact R.S. 22:1290.1, relative to commercial automobile

insurance; to require automobile insurers to submit annual data to the commissioner of insurance; to provide for aggregation and public posting of the data; to provide for a sunset date; to provide for confidentiality; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 212 by Senator Appel

AMENDMENT NO. 1

On page 2, line 22, change "show" to "shown"

AMENDMENT NO. 2

On page 5, line 2, between "972(D)," and "1008," insert "976,"

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

**Senate Resolutions
on Second Reading
Reported by Committees**

SENATE RESOLUTION NO. 7—

BY SENATOR MILLS

A RESOLUTION

To urge and request the Louisiana Department of Health and the Louisiana Department of Education to coordinate an awareness effort to have children screened for scoliosis.

Reported favorably by the Committee on Health and Welfare.

The resolution was read by title. On motion of Senator Mills, the Senate Resolution was adopted.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATORS MORRELL, BISHOP, CARTER AND PETERSON AND REPRESENTATIVES BOUIE AND LEGER

A CONCURRENT RESOLUTION

To provide for ratification by the Legislature of Louisiana of the amendment to the Constitution of the United States relative to equal rights for men and women and to memorialize Congress to remove or extend in perpetuity the 1982 ratification deadline in the resolving clause, if Congress deems this necessary in order for the Equal Rights Amendment to be added to the Constitution of the United States.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Concurrent Resolution No. 2 by Senator Morrell

AMENDMENT NO. 1

On page 1, line 12, delete "Now, therefore be it resolved" and insert "Resolved"

AMENDMENT NO. 2

On page 1, line, 14, delete "that" and insert "That"

AMENDMENT NO. 3

On page 1, line 14, between "as" and "amendment" insert "an"

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AMENDMENT NO. 4

On page 1, line 17, delete "after the date of its submission for ratification" and insert "from the date of its submission by the Congress"

AMENDMENT NO. 5

On page 2, line 2, between "or" and "any" insert "by"

AMENDMENT NO. 6

On page 2, line 3, after "enforce" insert a comma "," and after "legislation" insert a comma ","

AMENDMENT NO. 7

On page 2, line 7, delete "adopted" and insert "accepted as valid"

AMENDMENT NO. 8

On page 2, line 9, delete "203" and insert "202"

AMENDMENT NO. 9

On page 2, line 13, between "in the" and "resolving" insert "1972 Congressional joint resolution's"

AMENDMENT NO. 10

On page 2, line 16, delete "disregarded" and insert "adjusted or eliminated altogether"

AMENDMENT NO. 11

On page 2, line 24, after "time" delete the remainder of the line and insert "limit originally appearing in the 1972 Congressional joint resolution's resolving"

AMENDMENT NO. 12

On page 2, line 25, delete "amendment" and insert "Proposed Equal Rights Amendment"

AMENDMENT NO. 13

On page 3, line 7, between "the" and "resolving" insert "1972 Congressional joint resolution's"

AMENDMENT NO. 14

On page 3, delete lines 11 through 13 and insert: "forwarded by the Louisiana Secretary of State to the Archivist of the United States (pursuant to Public Law No. 98-497), to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives."

On motion of Senator Peterson, the committee amendment was adopted.

The amended resolution was read by title and ordered engrossed and passed to a third reading.

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATORS CARTER, BARROW, BOUDREAUX, CHABERT, CLAITOR, HENSGENS AND MILLS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to take such actions as are necessary to pass the Disability Integration Act of 2019.

Reported favorably by the Committee on Health and Welfare.

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

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.

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 Concurrent Resolution No. 25 by Senator Peacock

AMENDMENT NO. 1

On page 2, lines 10 and 18, delete "feasability" and insert "feasibility"

On motion of Senator Mills, the committee amendment was adopted.

The amended resolution was read by title and ordered engrossed and passed to a third 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.

Reported favorably by the Committee on Health and Welfare.

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

Bagneris Rule

Senator Thompson moved to invoke the rule to temporarily pass over controversial Senate Bills on Third Reading and Final Passage with the intention of taking them up later, in their regular order.

Without objection, so ordered.

SENATE BILL NO. 34—

BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 26:85(6) and 359(B)(1)(c), and to enact R.S. 26:2(3.1) and 241(2.1), relative to alcoholic beverages; to remove the bottle-size limitation on containers of wine shipped directly to consumers; to regulate direct shipment to consumers based on volume; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 30

NAYS

Total - 0

ABSENT

Boudreaux	LaFleur	Morrell
Fannin	Luneau	Smith, J.
Hensgens	Milkovich	Walsworth
Total - 9		

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

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.

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. 70 by Senator Donahue

AMENDMENT NO. 1

On page 2, line 6, following "in" and before "or Ward" change "Slidell City Court" to "City Court of Slidell"

AMENDMENT NO. 2

On page 2, lines 8 and 9, following "prosecuted in" change "Slidell City Court" to "City Court of Slidell"

On motion of Senator Martiny, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Peacock
Appel	Gatti	Peterson
Barrow	Johns	Price
Bishop	Lambert	Riser
Carter	Long	Smith, G.
Chabert	Martiny	Tarver
Claitor	Milkovich	Thompson
Colomb	Mills	Walsworth
Cortez	Mizell	Ward
Donahue	Morrish	White
Total - 30		

NAYS

Total - 0

ABSENT

Allain	Hensgens	Luneau
Boudreaux	Hewitt	Morrell
Fannin	LaFleur	Smith, J.
Total - 9		

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

SENATE BILL NO. 191—
BY SENATOR CHABERT

AN ACT

To enact R.S. 9:5610, relative to civil liability for damages; to provide for preemption 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.

Floor Amendments

Senator Chabert proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chabert to Engrossed Senate Bill No. 191 by Senator Chabert

AMENDMENT NO. 1

On page 2, delete lines 12 through 15 and insert "The one-year period of limitation provided in Subsection A of this Section is prescriptive within the meaning of Civil Code Article 3447. The three-year period of limitation provided in Subsection A of this Section is a preemptive period within the meaning of Civil Code Article 3458 and, in accordance with Civil Code Article 3461, may not be renounced, interrupted, or suspended."

AMENDMENT NO. 2

On page 2, line 19, after "Section" insert a period and delete the remainder of the line and lines 20 and 21

On motion of Senator Chabert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Morrish
Barrow	Gatti	Peterson
Bishop	Hewitt	Price
Carter	Johns	Smith, G.
Chabert	Lambert	Tarver
Claitor	Long	Thompson
Colomb	Martiny	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	White
Total - 27		

NAYS

Milkovich	Peacock
Total - 2	

ABSENT

Allain	Hensgens	Riser
Appel	LaFleur	Smith, J.
Boudreaux	Luneau	
Fannin	Morrell	
Total - 10		

The Chair declared the amended bill was passed, ordered reengrossed and sent to the House. Senator Chabert moved to

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reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 80— BY SENATOR CLAITOR

A RESOLUTION

To recognize May 1, 2019, as Law Day in Louisiana.

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

SENATE RESOLUTION NO. 81— BY SENATOR GATTI

A RESOLUTION

To commend Marcus Dee Wren Jr. of Minden, Louisiana, on the occasion of his ninety-fifth birthday, January 29, 2019.

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

Introduction of Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 57— BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to work with the governor and the legislature to develop a ten-year plan to increase teacher salaries to the level where Louisiana's average teacher salary is the highest in the nation.

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

SENATE CONCURRENT RESOLUTION NO. 58— BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To urge and request the mayor and the city council of the city of New Orleans to study and make recommendations for changes to statutory law that will help to reduce excessive eviction rates of household renters in the city.

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

SENATE CONCURRENT RESOLUTION NO. 59— BY SENATOR WARD

A CONCURRENT RESOLUTION

To commend Ellis Paul "Pete" Adams Jr. for 46 years of exemplary service as the executive director of the Louisiana District Attorneys Association, and to congratulate him upon his retirement effective July 12, 2019.

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 25, 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 Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 28— BY SENATOR ERDEY AND REPRESENTATIVE POPE

A CONCURRENT RESOLUTION

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

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.

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATORS THOMPSON, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CLAITOR, COLOMB, CORTEZ, ERDEY, GATTI, HEWITT, JOHNS, LONG, MARTINY, MILKOVICH, MILLS, MIZELL, PRICE, RISER, GARY SMITH, JOHN SMITH, WALSWORTH, WARD AND WHITE 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.

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR PEACOCK AND REPRESENTATIVE CARMODY

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 fundraising efforts.

Respectfully submitted, KAREN CARTER PETERSON Chairman

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

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, Name, Name. Lists present members including Mr. President, Allain, Appel, Barrow, Bishop, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Gatti, Hewitt, Johns, Lambert, Long, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Peterson, Price, Riser, Smith, G., Tarver, Thompson, Walsworth, Ward, White.

ABSENT

Table with 3 columns: Name, Name, Name. Lists absent members including Boudreaux, Fannin, Hensgens, LaFleur, Luneau, Smith, J.

Leaves of Absence

The following leaves of absence were asked for and granted:

Boudreaux	1 Day	Fannin	1 Day
Hensgens	1 Day	LaFleur	1 Day
Luneau	1 Day	Smith, J.	1 Day

Announcements

The following committee meetings for April 29, 2019, were announced:

Finance	9:30 A.M.	Room A
Retirement	1:00 P.M.	Room E
Revenue and Fiscal Affairs	11:00 A.M.	Hainkel Room

Adjournment

On motion of Senator Thompson, at 10:00 o'clock A.M. the Senate adjourned until Monday, April 29, 2019, at 3:00 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

