

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

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Sunday, June 14, 2020

The Senate was called to order at 5:20 o'clock P.M. by Hon.  
Patrick Page Cortez, President of the Senate.

**Morning Hour**

**CONVENING ROLL CALL**

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

**PRESENT**

Mr. President	Foil	Peacock
Abraham	Harris	Peterson
Allain	Hensgens	Pope
Barrow	Jackson	Price
Bernard	Johns	Reese
Bouie	Lambert	Smith
Carter	Luneau	Tarver
Cathey	Milligan	Ward
Cloud	Mills, F.	White
Connick	Mills, R.	Womack
Fesi	Mizell	
Fields	Morris	
Total - 34		

**ABSENT**

Boudreaux	Hewitt	Talbot
Henry	McMath	
Total - 5		

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

**Prayer**

The prayer was offered by Senator Regina Barrow, 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 Morris, the reading of the Journal was  
dispensed with and the Journal of June 11, 2020, was adopted.

**Petitions, Memorials and  
Communications**

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

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 12, 2020

Honorable Patrick Page Cortez  
President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, Louisiana 70804

RE: Veto of Senate Bill 132 of the 2020 Regular Session

Dear President Cortez:

Please be advised that I have vetoed Senate Bill 132 of the 2020  
Regular Session.

Senate Bill 132 requires that the Joint Legislative Committee on  
the Budget (JLCB) approve any contract or cooperative endeavor  
agreement with a value greater than or equal to \$25 million. This  
requirement violates Article 2, Section 2 of the Louisiana  
Constitution in that it requires legislative approval of a purely  
executive branch function, namely, the execution of contracts and  
CEAs. However, this does not mean that the legislature does not have  
a significant role in oversight of executive branch functions,  
including contracts, as the legislature alone has the authority of  
appropriation. All executive branch contracts are subject to  
legislative appropriation. Further, I have ensured that my  
administration has fully cooperated with and respected the authority  
of the entire legislature and JLCB. I do not believe there has ever  
been a single instance where anyone in my administration has refused  
to appear before a legislative committee, including the JLCB. That  
will continue as long as I am Governor. However, I cannot support  
a bill that cedes a purely executive branch function to the legislature.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 12, 2020

Honorable Patrick Page Cortez  
President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, Louisiana 70804

RE: Veto of Senate Bill 395 of the 2020 Regular Session

Dear President Cortez:

Please be advised that I have vetoed Senate Bill 395 of the 2020  
Regular Session.

Senate Bill 395 provides for restrictions on attorney advertising  
and authorizes the Attorney General to investigate advertising claims  
under the Unfair Trade Practices Act. This bill is very similar to  
Senate Bill 115 of the 2020 Regular Session by Senator Pat Connick,  
which I have signed into law. I have thus vetoed Senate Bill 395 for  
two reasons. First, since Senate Bill 115 is now signed, the enactment  
of Senate Bill 395 would lead to confusion and duplication, as many  
of the provisions in the bills are nearly identical. Secondly, there is  
a significant difference between the bills that raises concerns about  
the constitutionality of Senate Bill 395. While Senate Bill 115 vests  
enforcement of its provisions with the Louisiana Supreme Court,  
Senate Bill 395 gives that authority to the executive branch, namely  
the Attorney General. This likely violates Article 5, Section 5 of the  
Louisiana Constitution which vests authority over the practice of law  
with the Louisiana Supreme Court. The Louisiana Supreme Court, by

constitutional requirement and by practice, is best positioned to implement any restrictions in a manner consistent with the protections in the United States and Louisiana constitutions.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 11, 2020

Honorable Page Cortez  
Louisiana Senate President  
Louisiana State Senate  
Post Office Box 94183  
Baton Rouge, LA 70804

RE: Veto of Senate Bill 406 of the 2020 Regular Session

Dear President Cortez:

Please be advised that I have vetoed Senate Bill 406 of the 2020 Regular Session.

This bill, as originally drafted, authorized electric cooperatives to allow broadband service providers access to their electric delivery system without the necessity of obtaining additional consent from the property owner who consented to the electric cooperative's servitude on which the electric delivery system is located. The bill gave the electric cooperatives autonomy to decide not only whether to allow a broadband operator to access its electric delivery system, but also which broadband service providers they allow access. In its final form, however, rather than expand access to broadband, which was Senator Mizell's intent, the bill prohibits an electric cooperative from providing broadband in serviced areas and at the same time requires an electric cooperative that provides broadband service in an unserved area to give other broadband service providers nondiscriminatory access to its electric delivery system.

Senator Mizell has been a champion for the people of Louisiana when it comes to working to bring broadband to all parts of the state. From establishing a taskforce on rural broadband to filing this legislation, Senator Mizell has worked tirelessly to identify creative ways to tackle the lack of broadband access in rural Louisiana. There is no doubt that the prohibition on electric cooperatives provided for in the final version of SB 406 is contrary to the author's intent of expanding access to broadband. Furthermore, the Federal Telecommunications Act of 1996 specifically prohibits any state statute from prohibiting the ability of any entity to provide any telecommunication service. Should this bill become law, it will be ripe to be challenged as violative of the Federal Telecommunications Act of 1996.

I appreciate Senator Mizell's continued efforts on this issue. I support her approach in the enrolled version and SB 10 of the 2020 IES and look forward to continuing to work with her, and the entire legislative body, on truly expanding broadband access to all Louisianans.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 12, 2020

Honorable Patrick Page Cortez  
President  
Louisiana State Senate  
Post Office Box 94183

Baton Rouge, Louisiana 70804

RE: Veto of Senate Bill 418 of the 2020 Regular Session

Dear President Cortez:

Please be advised that I have vetoed Senate Bill 418 of the 2020 Regular Session.

While I appreciate the efforts that Senator Talbot made to work on a compromise bill that would lower automobile insurance rates in Louisiana, Senate Bill 418 is neither a compromise nor is it a mandate to decrease rates. I worked closely with Senator Talbot and other legislators and presented a number of areas where compromise could have been reached. My proposals included items such as a reduction of the jury trial threshold, elimination of the seatbelt evidentiary prohibition, and simplification of the collateral source rule in a manner which would prevent the unfair recoveries complained of by many insurers. However, for whatever reason, these efforts at compromise were not successful. However, I remain willing to work with anyone operating in good faith to reach a compromise. Those efforts and discussions have continued into this current extraordinary session, and I am confident that we can reach an agreement on a bill that will have broad support.

It is important to note that not a single insurance company testified in committee that Senate Bill 418 would actually reduce rates. Further, the rate reduction provision in the bill is permissive, rather than mandatory, and actually allows for rate increases if the insurers are able to demonstrate one would be needed. I remain convinced that if we are truly going to reduce insurance rates, we need to confront all of the underlying factors that lead to high insurance rates, such as distracted driving, poor road and bridge infrastructure, and discriminatory practices based on credit rating and gender that lead to more uninsured or underinsured drivers. I supported efforts in this last regular session that would have addressed many of these issues, and I will continue to advocate for these changes.

The issue of lowering insurance rates should be non-political and bipartisan, so long as those legislators and stakeholders who truly want to arrive at a real solution are able to define the debate and ultimate agreement. I support those efforts and will work diligently to get to that result.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 12, 2020

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

RE: Veto of House Bill 197 of the 2020 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 197 of the 2020 Regular Session.

House Bill 197 was designed by Rep. Jerome Zeringue to add "water control structures, including floodgates and pump stations" to the list of critical infrastructure contained in Act 692 of the 2018 Regular Session. While I support protecting critical water control structures and the intention of the bill, there are two critical problems that provide the reasons for my veto.

June 14, 2020

First, the second section of the bill provides for enhanced criminal penalties and a mandatory minimum jail sentence of three years if the unauthorized entry occurs during the existence of a "state of emergency." While this was intended by the author to cover only the imminent threat of a tropical event, it ends up being the default penalty. Louisiana is currently under eleven different states of emergency, ranging from the most recent event of Tropical Storm Cristobal to the March flooding in 2016. Since Louisiana is in a constant state of emergency, there would likely never be a time when the lesser penalty is in effect.

Further, the term "water control structure" is ill-defined in the bill. In many areas around the state, for example, levees are used for public recreation. Although clearly not intended by the bill, the inclusion of these structures could potentially criminalize conduct that does not endanger the water control structures. As stated above, I will be happy to work with Rep. Zeringue in a future session to protect this critical infrastructure, and I am confident we can amend Act 692 to provide a reasonable solution that does not have the unintended consequences of HB 197.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 12, 2020

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

RE: Veto of House Bill 313 of the 2020 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 313 of the 2020 Regular Session.

House Bill 313 would have effectively eliminated the Single Business Enterprise Doctrine, a jurisprudential doctrine that allows courts to consider closely related businesses to be a single business entity when attempting to impose liability or collect debts. This rarely used and difficult to prove doctrine is designed to prevent bad actors from establishing undercapitalized shell corporations in an effort to avoid creditors and shirk public obligations. Such a significant change in this doctrine could make it more difficult for creditors to pursue their claims and could inadvertently hurt small businesses, independent contractors, investors, and pension funds in Louisiana.

Additionally, some of the language of House Bill 313 could lead to confusion and possible unintended consequences. For example, the proposed La. R.S. 12:1705(C) defines "business organization" to include a trust. According to the Louisiana Trust Code (La. R.S. 9:1721, et seq.), a trust is a contractual fiduciary relationship - not a distinct juridical person or "business organization." If House Bill 313 were to become law, the potential unintended, unforeseen, and unstudied consequences of such a change in our law would be problematic and unjustified.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 12, 2020

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

RE: Veto of House Bill 562 of the 2020 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 562 of the 2020 Regular Session.

House Bill 562 restricts the ability of executive branch agencies to transfer funds within their appropriated budgets. This unnecessary restriction would limit the ability of state agencies to properly respond to events that may develop over a budget year, such as natural disasters. Further, the author of the bill did not provide any explanation of why this bill was needed for the executive branch, but not for the other branches of government.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**OFFICE OF THE GOVERNOR  
STATE OF LOUISIANA**

June 12, 2020

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

RE: Veto of House Bill 597 of the 2020 Regular Session

Dear Speaker Schexnayder:

Please be advised that I have vetoed House Bill 597 of the 2020 Regular Session.

The intent of House Bill 597 is to overrule the 1991 Louisiana Supreme Court decision of Housley v. Cerise, 539 So.2d 937 (1991). This case established a presumption of causation of an injury if a party can prove that, before an accident, he or she was in good health, but that after the accident, symptoms of an injury appear and continuously manifest themselves. This presumption is simply an equitable rule that provides for a common sense way for a judge or jury to determine if an injury was caused by an accident. The rule does not relieve the party from proving that an injury occurred or that the defendant in a case was at fault. It further does not prevent the defendant from presenting evidence to rebut the presumption. This jurisprudential rule has stood the test of time and need not be changed.

Sincerely,  
JOHN BEL EDWARDS  
Governor

**Introduction of Senate Bills  
and Joint Resolutions**

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

June 14, 2020

SENATE BILL NO. 25—  
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 51:1787(B)(3)(c) and (K) and to enact R.S. 51:1787(B)(3)(e), relative to the Enterprise zone incentive; to authorize certain businesses to participate in the Enterprise zone incentive program; 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.

SENATE BILL NO. 26—  
BY SENATOR HEWITT

AN ACT

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

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

Introduction of  
Senate Concurrent Resolutions

SENATE CONCURRENT RESOLUTION NO. 14—  
BY SENATOR ROBERT MILLS

A CONCURRENT RESOLUTION

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

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

SENATE CONCURRENT RESOLUTION NO. 15—  
BY SENATOR ROBERT MILLS

A CONCURRENT RESOLUTION

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

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

SENATE CONCURRENT RESOLUTION NO. 16—  
BY SENATOR ROBERT MILLS

A CONCURRENT RESOLUTION

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

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

Senate Bills and Joint Resolutions on  
Second Reading to be Referred

SENATE BILL NO. 24—  
BY SENATOR HARRIS

AN ACT

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

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

Senate Resolutions on  
Second Reading

SENATE RESOLUTION NO. 12—  
BY SENATOR WOMACK

A RESOLUTION

To express sincere condolences of the Senate of the Legislature of Louisiana upon the death of Police Chief Wesley Ezell of Gilbert, Louisiana.

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

Message from the House

ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS

June 11, 2020

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

- |           |           |           |
|-----------|-----------|-----------|
| HB No. 39 | HB No. 15 | HB No. 21 |
| HB No. 27 | HB No. 5  | HB No. 6  |

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 5—  
BY REPRESENTATIVE MARINO  
AN ACT

To enact Civil Code Article 3472.1 and Code of Civil Procedure Article 562, relative to civil proceedings; to provide relative to declaration of emergencies or disasters; to provide relative to suspension of prescription and peremption periods and other legal deadlines; to provide relative to the suspension of abandonment; to provide for cessation of suspension; 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. 6—  
BY REPRESENTATIVE IVEY  
AN ACT

To enact Subpart C-1 of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:15.7, relative to state funds; to establish the State Cybersecurity and Information Technology Fund; to provide for the dedication and use of monies in the fund; to provide for deposits into the fund; to provide for the powers and duties of the Joint Legislative Committee on the Budget and the Joint Legislative Committee on Technology and Cybersecurity; to provide restrictions on use of the monies; 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 Finance.

**HOUSE BILL NO. 15—**

BY REPRESENTATIVE IVEY

AN ACT

To enact Subpart U of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.161, relative to state funds; to establish the State Budget Authority Reserve Trust as a special treasury fund; to provide for the sources and uses of monies in the fund; and to provide for related matters.

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

**HOUSE BILL NO. 21—**

BY REPRESENTATIVE MAGEE

AN ACT

To amend and reenact R.S. 32:1263(A), relative to motor vehicle repairs; to increase fee limitations; to make technical changes; 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. 27—**

BY REPRESENTATIVE ZERINGUE

AN ACT

To amend and reenact R.S. 37:2553(D) and 2558(A), to enact R.S. 37:2551.1, and to repeal R.S. 37:2551.1, relative to the board of examiners of certified shorthand reporters; to create the Board of Examiners of Certified Shorthand Reporters Fund; to provide relative to the disbursement of funds; to provide relative to fees collected from applicants; and to provide for related matters.

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

**HOUSE BILL NO. 39—**

BY REPRESENTATIVE DAVIS

AN ACT

To amend and reenact R.S. 45:1252(11)(c) and to enact R.S. 45:1252(11)(d), relative to the Louisiana Electric Investment Recovery Securitization Act; to provide definition for investment recovery costs; 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.

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

**SENATE CONCURRENT RESOLUTION NO. 3—**

BY SENATOR ROBERT MILLS AND REPRESENTATIVE MCFARLAND  
A CONCURRENT RESOLUTION

To create the Task Force on Log Truck and Agriculture Vehicle Liability Insurance to study the limitations on insurance options and the impediments to affordable automobile liability insurance for log trucks and agriculture vehicles and to make recommendations with respect to reducing or eliminating those limitations and impediments.

Reported favorably by the Committee on Insurance.

**Floor Amendments**

Senator Robert Mills proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Robert Mills to Original Senate Concurrent Resolution No. 3 by Senator Robert Mills

**AMENDMENT NO. 1**

On page 3, between lines 21 and 22, insert the following:

"(18) One member appointed by the National Association of Mutual Insurance Companies."

On motion of Senator Robert Mills, the amendments were adopted.

The resolution was read by title. Senator Reese moved to adopt the amended Senate Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Foil	Peterson
Abraham	Harris	Pope
Barrow	Hensgens	Price
Bernard	Lambert	Reese
Bouie	Luneau	Smith
Carter	Milligan	Tarver
Cathey	Mills, F.	Ward
Cloud	Mills, R.	White
Connick	Mizell	Womack
Fesi	Morris	
Fields	Peacock	
Total - 31		

**NAYS**

Total - 0

**ABSENT**

Allain	Hewitt	McMath
Boudreaux	Jackson	Talbot
Henry	Johns	
Total - 8		

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

**SENATE CONCURRENT RESOLUTION NO. 7—**

BY SENATORS FIELDS, BARROW, BOUIE, CARTER, HARRIS, HENRY, JACKSON, PRICE, REESE, SMITH AND TALBOT

A CONCURRENT RESOLUTION

To establish the Police Training, Screening, and De-escalation Task Force to study and make recommendations to the legislature.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Original Senate Concurrent Resolution No. 7 by Senator Fields

**AMENDMENT NO. 1**

On page 1, line 7, delete "2016" and change "American Journal of Health," to "American Journal of Public Health in 2018,"

**AMENDMENT NO. 2**

On page 3, between lines 4 and 5, insert the following:

"(16) One member of the Louisiana Senate appointed by the president of the Senate.

(17) One member of the Louisiana House of Representatives appointed by the speaker of the House of Representatives.

(18) The president of the Louisiana Sheriffs Association, or his designee who shall be a member of the association."

**AMENDMENT NO. 3**

On page 3, delete line 30, and insert "system, the president of the Louisiana State University system, and the president of the Louisiana Sheriffs Association."

June 14, 2020

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

Floor Amendments

Senator Fields proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Original Senate Concurrent Resolution No. 7 by Senator Fields

AMENDMENT NO. 1

On page 3, line 1, after "criminal" change "law" to "justice"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 14, 2020, on page 1, between lines 11 and 12, insert the following:

"(19) The president of the Louisiana Council of Student Body Presidents, or his designee who is a member of the council.

(20) The president of the Louisiana Association of Chiefs of Police, or his designee who is a member of the association.

(21) The organizer of Together Louisiana, or his designee.

(22) The superintendent of the office of state police, or his designee.

(23) The chair of the Legislative Youth Advisory Council, or his designee who is a member of the council."

AMENDMENT NO. 3

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 14, 2020, on page 1, delete line 14, and insert the following: "system, the president of the Louisiana Sheriffs Association, the president of the Louisiana Association of Chiefs of Police, the organizer of Together Louisiana, the superintendent of the office of state police, and the chair of the Legislative Youth Advisory Council."

On motion of Senator Fields, the amendments were adopted.

The resolution was read by title. Senator Fields moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Abraham, Allain, Barrow, Bernard, Bouie, Carter, Cathey, Cloud, Connick, Fesi, Fields, Morris, Peacock, Peterson, Pope, Price, Reese, Smith, Tarver, Ward, White, Womack.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Absent, Total. Lists names Boudreaux, Henry, Hewitt, McMach, Talbot.

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

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR WARD

A CONCURRENT RESOLUTION

To create the Drug and Specialty Courts Commission to study and evaluate the utilization of opioid settlement funds for the expansion and optimization of drug and specialty courts in Louisiana.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Concurrent Resolution No. 12 by Senator Ward

AMENDMENT NO. 1

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

"(7) The executive director of the Police Jury Association of Louisiana, or his designee.

(8) The president of the Louisiana District Judges Association, or his designee."

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

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 10—

BY SENATOR MIZELL

AN ACT

To enact R.S. 12:430.1 and 430.2 and to repeal Act No. \_\_\_ of the 2020 Regular Session of the Louisiana Legislature, which originated as Senate Bill 406, relative to rural access to broadband high-speed internet access; to provide relative to servitudes; to provide for reporting by cooperatives regarding broadband high-speed internet access; to provide for reporting by certain telecommunications associations regarding broadband high-speed internet access; and to provide for related matters.

Floor Amendments

Senator Mizell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mizell to Engrossed Senate Bill No. 10 by Senator Mizell

AMENDMENT NO. 1

On page 3, line 14, change "easements" to "servitudes"

On motion of Senator Mizell, the amendments were adopted.

Floor Amendments

Senator Mizell proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Mizell to Engrossed Senate Bill No. 10 by Senator Mizell

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 and insert "To enact R.S. 12:430.1 and 430.2, relative to rural"

AMENDMENT NO. 2

On page 1, line 7, after "access;" insert "to provide for terms, conditions, and procedures;"

June 14, 2020

AMENDMENT NO. 3

On page 1, delete line 10, and insert

"§430.1. Cooperatives; provision of broadband services; servitudes"AMENDMENT NO. 4On page 1, line 11, after "provided in" insert "47 U.S.C. 224 and"AMENDMENT NO. 5On page 1, line 12, change "may" to "shall"AMENDMENT NO. 6On page 2, line 12, after "pursuant to" change "this" to "law," and on line 13, delete "Subsection,"AMENDMENT NO. 7

On page 2, between lines 17 and 18 and insert:

"B. A cooperative shall provide a broadband affiliate, broadband service provider, or broadband operator with nondiscriminatory access to locate its equipment for the provision of broadband services on the cooperative's electric delivery system on just, reasonable, and nondiscriminatory terms, conditions, and rates.C. Any broadband affiliate, broadband service provider, or broadband operator wishing to attach to a cooperative's electric delivery system shall file written notice with the cooperative. The cooperative shall respond to the notice in accordance with the Public Service Commission's General Order dated September 4, 2014, or any subsequent related order.D. A cooperative shall charge a broadband affiliate, broadband service provider, or broadband operator for the construction, installation, operation, use, and maintenance of those parts of its electric delivery system that are used or may be reserved for use by the broadband affiliate, broadband service provider, or broadband operator for the provision of broadband services. Any lease of facilities by a cooperative to a broadband affiliate that includes the use of the cooperative's poles shall include a pole attachment fee to be paid by the broadband affiliate to the cooperative. The fee charged by the cooperative to the broadband affiliate shall be the same amount as the pole attachment fee charged by the cooperative to any other broadband operator.E. A cooperative shall not do any of the following:(1) Use its electric energy sales revenue to subsidize the provision of broadband services to the public by a broadband affiliate or other broadband operator.(2) Allow the installation or operation of a broadband system on its electric delivery system by a broadband affiliate or other broadband operator to diminish the reliability of the electric delivery system.(3) Require any person to purchase broadband services from a broadband affiliate or other broadband operator, as a condition of receiving or continuing to receive electric energy from the cooperative.(4) Disconnect, or threaten to disconnect, electric service to any customer due to the customer's failure to pay for broadband services provided to the customer by a broadband affiliate or other broadband operator.F. A cooperative may make capital investments in a broadband affiliate, issue bonds on behalf of a broadband affiliate, make loans to a broadband affiliate at fair market rate, and enter into loan guarantees for the benefit of a broadband affiliate, all of which may be in such amounts and on such terms as the cooperative determines to be prudent, subject to the requirements established by the Public Service Commission's General Orders dated March 18, 1994, and November 13, 1996, or any subsequent related orders."AMENDMENT NO. 8On page 2, line 18, change "B," to "G."AMENDMENT NO. 9

On page 2, between lines 23 and 24 insert:

"(2) "Broadband operator" means a broadband service provider that owns or operates a broadband system on a cooperative's electric delivery system with the cooperative's consent."AMENDMENT NO. 10On page 2, line 24, change "(2)" to "(3)"AMENDMENT NO. 11On page 2, line 27, change "(3)" to "(4)"AMENDMENT NO. 12

On page 3, between lines 12 and 13 insert:

"(5) "Broadband system" means a facility used to deliver broadband internet access service as defined in 47 C.F.R. §8.1 and other broadband services."AMENDMENT NO. 13On page 3, line 13, change "(4)" to "(6)"AMENDMENT NO. 14On page 3, line 14, change "easements" to "servitudes"AMENDMENT NO. 15

On page 3, delete lines 16 through 29 and delete page 4 and insert:

"On March 1, 2021, and every March thereafter, each cooperative, or the statewide or trade association of each cooperative, shall submit a written report to the Senate Committee on Commerce, Consumer Protection and International Affairs and the House Committee on Commerce regarding any impediments to providing broadband high-speed internet access to rural residents. The information in the report shall include, at a minimum, the number of broadband affiliates and broadband service providers who have requested to use a cooperative's electric delivery system and the number of broadband operators, including any broadband affiliate, who have accessed a cooperative's electric delivery system to deploy broadband to rural residents in the state.Section 2. On March 1, 2021, and every March thereafter, the Louisiana Cable & Telecommunications Association and the Louisiana Telecommunications Association shall jointly submit a written report to the Senate Committee on Commerce, Consumer Protection and International Affairs and the House Committee on Commerce regarding any impediments to providing broadband high-speed internet access or any prohibitive requirements to access the cooperative's electric delivery system for the purpose of providing broadband in the state. The information in the written report shall include, at a minimum, broadband deployment data publicly available from the Federal Communications Commission Form 477. Nothing in this Section shall be construed to require the disclosure of proprietary or trade secret information by a broadband service provider.Section 3. 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 Mizell, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Foil	Peacock
Abraham	Harris	Peterson

June 14, 2020

Allain	Hensgens	Pope
Barrow	Jackson	Price
Bernard	Johns	Reese
Bouie	Lambert	Smith
Carter	Luneau	Tarver
Cathey	Milligan	Ward
Cloud	Mills, F.	White
Connick	Mills, R.	Womack
Fesi	Mizell	
Fields	Morris	

Total - 34

NAYS

Total - 0

ABSENT

Boudreaux	Hewitt	Talbot
Henry	McMath	

Total - 5

The Chair declared the 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.

**Rules Suspended**

Senator Peacock asked for and obtained a suspension of the rules to advance to:

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

AN ACT

To amend and reenact R.S. 39:98.2(A), R.S. 56:797(C), and 798(B)(1), relative to the investments the Treasury Department is authorized to invest the monies in the Millennium Trust, the Rockefeller Wildlife Refuge Trust and Protection Fund, and the Russell Sage or Marsh Island Refuge Fund; to provide for an effective date; and to provide for related matters.

**Floor Amendments**

Senator Peacock proposed the following amendments.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fred Mills on behalf of the Legislative Bureau to Engrossed Senate Bill No. 19 by Senator Peacock

AMENDMENT NO. 1

On page 4, line 6, following "in the" and before "Rockefeller" delete "said"

AMENDMENT NO. 2

On page 4, line 7, following "financing of" and before "fund." change "said" to "**the**"

AMENDMENT NO. 3

On page 5, line 11, change "said" to "**the**"

AMENDMENT NO. 4

On page 5, line 12, change "said" to "**the**"

AMENDMENT NO. 5

On page 5, line 13, change "said" to "**the**"

AMENDMENT NO. 6

On page 5, line 14, change "said" to "**the**"

On motion of Senator Peacock, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total - 34

NAYS

Total - 0

ABSENT

Boudreaux	Hewitt	Talbot
Henry	McMath	

Total - 5

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

**Rules Suspended**

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

**Introduction of Senate Bills and Joint Resolutions**

**SENATE BILL NO. 27—**  
BY SENATOR WHITE

AN ACT

To amend and reenact Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:101 through 109, relative to state government; to create the Streamlining Government Commission; to provide for the membership, powers, duties, and functions of the commission; to provide for recommendations of the commission; to provide procedures and deadlines for reporting; and to provide for related matters.

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

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

June 12, 2020

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 6—**

BY SENATORS CATHEY AND JACKSON  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Venoy Kinnaird.

**SENATE CONCURRENT RESOLUTION NO. 8—**

BY SENATORS JOHNS, ABRAHAM, HENSGENS AND REESE AND REPRESENTATIVES BOURRIAQUE, CARRIER, WILFORD CARTER, DWIGHT, FARNUM, ROMERO AND TARVER  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Jo Ann Drachenberg Beam.

**SENATE CONCURRENT RESOLUTION NO. 9—**

BY SENATOR JOHNS AND REPRESENTATIVE FARNUM  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Glen Edward Bonin.

**SENATE CONCURRENT RESOLUTION NO. 10—**

BY SENATORS JOHNS, ALLAIN, BARROW, BOUIE, CARTER, CATHEY, CLOUD, CORTEZ, FESI, HENSGENS, HEWITT, LUNEAU, MCMATH, MILLIGAN, ROBERT MILLS, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TARVER, WHITE AND WOMACK  
A CONCURRENT RESOLUTION

To commend Ronnie Jones for his dedication, knowledge, experience, and leadership as chairman of the Louisiana Gaming Control Board.

Respectfully submitted,  
YOLANDA J. DIXON  
Secretary of the Senate

**Privileged Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

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

June 12, 2020

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

**SENATE RESOLUTION NO. 6—**

BY SENATORS HARRIS, BOUIE, CARTER AND PETERSON  
A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the occasion of the passing of retired Orleans Parish Criminal District Court Judge, Charles Lloyd Elloie, better known as Judge Elloie.

**SENATE RESOLUTION NO. 7—**

BY SENATORS FOIL, BARROW, FIELDS AND WHITE  
A RESOLUTION

To designate Tuesday, June 9, 2020, as "Our Lady of the Lake Children's Hospital Day at the Capitol".

**SENATE RESOLUTION NO. 8—**

BY SENATOR JOHNS  
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of William Andrew "Andy" Riché.

**SENATE RESOLUTION NO. 9—**

BY SENATOR JOHNS  
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Morgan Samuel "Mike" Harmison IV.

Respectfully submitted,  
SHARON W. HEWITT  
Chairwoman

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

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

June 14, 2020

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 9—**

BY REPRESENTATIVES DAVIS, BAGLEY, BRASS, HILFERTY, JAMES, LACOMBE, MAGEE, PIERRE, SCHEXNAYDER, STAGNI, AND TURNER AND SENATORS FOIL, MCMATH, AND WARD  
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Samir Salman, accomplished civil engineer and distinguished alumnus of Louisiana State University.

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

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

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

**ATTENDANCE ROLL CALL**

**PRESENT**

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

Total - 34

**ABSENT**

Boudreaux	Hewitt	Talbot
Henry	McMath	
Total - 5		

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Boudreaux	1 Day	Henry	1 Day
Hewitt	1 Day	McMath	1 Day
Talbot	1 Day		

June 14, 2020

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**Announcements**

The following committee meetings for June 15, 2020, were announced:

Finance	9:30 A.M.	Room A
Local and Mun. Affairs	8:45 A.M.	Room E
Revenue and Fiscal Affairs	10:00 A.M.	Hainkel Room

**Adjournment**

On motion of Senator Peacock, at 5:50 o'clock P.M. the Senate adjourned until Monday, June 15, 2020, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

YOLANDA J. DIXON  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk