

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

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, October 6, 2020

The Senate was called to order at 1:15 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	Fields	Milligan
Abraham	Foil	Mills, F.
Allain	Harris	Mills, R.
Bernard	Henry	Mizell
Bouie	Hensgens	Morris
Carter	Hewitt	Peacock
Cathey	Jackson	Price
Cloud	Johns	Reese
Connick	Luneau	Smith
Fesi	McMath	Ward
Total - 30		

ABSENT

Barrow	Peterson	Tarver
Boudreaux	Pope	White
Lambert	Talbot	Womack
Total - 9		

The President of the Senate announced there were 30 Senators
present and a quorum.

Prayer

The prayer was offered by Senator Bret Allain, 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 Bouie, the reading of the Journal was
dispensed with and the Journal of October 5, 2020, was adopted.

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

October 5, 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 concurred in the following Senate
Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon
the death of Sister Joan Martinette Rivers, OLS.

Reported without amendments.

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

**Introduction of Senate Bills
and Joint Resolutions**

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

SENATE BILL NO. 59—
BY SENATOR MIZELL

AN ACT

To amend and reenact R.S. 40:2156(B)(4) and to enact R.S.
40:2159.2, relative to the opioid public health emergency; to
provide for opioid treatment programs for pregnant women; to
establish requirements for treatment facilities licensed as
behavioral health services providers that provide treatment for
opioid use disorder to pregnant women; to prohibit certain
actions against behavioral health services provider licenses prior
to a specific date; 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 Health and Welfare.

SENATE BILL NO. 60—
BY SENATOR MIZELL

AN ACT

To amend and reenact R.S. 40:978(F)(1), relative to opioid
prescription medications; to provide for the use of the
prescription monitoring program; to provide for the use of the
prescription monitoring program when prescribing opioid
medications; to provide as it relates to exemptions; 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 Health and Welfare.

SENATE BILL NO. 61—
BY SENATORS MIZELL AND JOHNS

AN ACT

To enact R.S. 36:4(CC), R.S. 49:968(B)(21)(d), and Chapter 12 of
Title 51 of the Louisiana Revised Statutes of 1950, to be
comprised of R.S. 51:1361 through 1364, relative to the office
of broadband and connectivity; to place the office within the
executive branch; to provide definitions; to provide for the
appointment and termination of an executive director; to require
reporting; to provide for functions, powers, and duties; to
establish contract authority; 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 BILL NO. 62—
BY SENATOR SMITH AND REPRESENTATIVE GREGORY MILLER

AN ACT

To enact R.S. 47:6006(G), relative to tax credits; to provide for
refunds of the ad valorem taxes paid on inventory for certain
manufacturers impacted by the 2020 emergency and disasters;
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.

October 6, 2020

SENATE BILL NO. 63—
BY SENATOR BARROW

AN ACT

To enact R.S. 37:1218.2, relative to pharmacists; to provide for the development of a statewide protocol for health condition testing, screening, and treatment by pharmacists; to provide for requirements of the statewide protocol; to provide for qualified conditions including COVID-19; to provide for treatments; to provide for qualified tests and procedures; and to provide for related matters.

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

SENATE BILL NO. 64—
BY SENATOR BARROW

AN ACT

To enact R.S. 36:4(W) and R.S. 40:1263, relative to equity in health care services for COVID-19; to provide for the COVID-19 Health Equity Task Force; to provide for membership; to provide for the duties of the task force; to provide for subcommittees; to provide for the use of donations and grants; to provide for recommendations to the legislature for updates; to provide for a termination date; 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 Health and Welfare.

SENATE BILL NO. 65—
BY SENATOR BARROW

AN ACT

To enact R.S. 40:1157.4, relative to COVID-19 vaccines; to provide for a risk review of federally approved vaccines; to provide for a general disclosure form; to provide for posting of safety and efficacy data; to provide for the administration of a COVID-19 vaccine to a person who has not received the general disclosure form; 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 Health and Welfare.

SENATE BILL NO. 66—
BY SENATOR CARTER

AN ACT

To enact R.S. 44:3.6, relative to disclosure of personal information by state and local government agencies; to prohibit the disclosure of the home address and telephone number of appointed or elected judges or law enforcement officials; 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 Senate and Governmental Affairs.

SENATE BILL NO. 67—
BY SENATOR REESE

AN ACT

To enact R.S. 51:1787(B)(5)(f) and 2455(I), relative to economic development incentives; to provide for an extension for job creation requirements for enterprise zone incentives; to provide for an extension for the rebate filing period for quality jobs incentive rebates; to provide for notification requirements; 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 Commerce, Consumer Protection, and International Affairs.

SENATE BILL NO. 68—
BY SENATOR LUNEAU

AN ACT

To enact R.S. 23:1472(9) and (12)(H)(XXIII), relative to unemployment compensation; to provide for the classification of employees; to provide relative to definitions of certain terms;

to provide relative to classification of certain types of employment; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 69—
BY SENATOR JOHNS

AN ACT

To enact Chapter 14 of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:1611 through 1613, relative to cable service providers and video service providers; to provide relative to an emergency service plan; to provide for submission of the plan to the legislature and certain executive branch agencies; to provide for civil fines; to provide for certain terms, conditions, and procedures; 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.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 10—
BY SENATOR SMITH AND REPRESENTATIVE GREGORY MILLER

A RESOLUTION

To commend and congratulate Angelle Bourgeois on being selected as the 2021 Elementary School Teacher of the Year by the Louisiana Department of Education.

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

SENATE RESOLUTION NO. 11—
BY SENATOR CATHEY

A RESOLUTION

To commend John Benjamin "JB" Humphrey on the occasion of his one hundredth birthday on October 7, 2020.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATORS ALLAIN, TARVER, ABRAHAM, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FIELDS, FOIL, HARRIS, HENRY, HENSGENS, HEWITT, JACKSON, JOHNS, LAMBERT, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, PETERSON, POPE, PRICE, REESE, SMITH, TALBOT, WARD, WHITE AND WOMACK AND REPRESENTATIVES ST. BLANC, ADAMS, AMEDEE, BACALA, BAGLEY, BEAULLIEU, BISHOP, BOURRIQUE, BRASS, BROWN, BRYANT, BUTLER, CARPENTER, CARRIER, GARY CARTER, ROBBY CARTER, WILFORD CARTER, CORMIER, COUSSAN, COX, CREWS, DAVIS, DESHOTEL, DEVILLIER, DUBUISSON, DUPLESSIS, DWIGHT, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FARNUM, FIRMENT, FONTENOT, FREEMAN, FREIBERG, FRIEMAN, GADBERRY, GAINES, GAROFALO, GLOVER, GOUDEAU, GREEN, HARRIS, HENRY, HILFERTY, HODGES, HOLLIS, HORTON, HUGHES, HUVAL, ILLG, IVEY, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, TRAVIS JOHNSON, JONES, JORDAN, KERNER, LACOMBE, LANDRY, LARVADAIN, LYONS, MACK, MAGEE, MARCELLE, MARINO, MCCORMICK, MCFARLAND, MCKNIGHT, MCMAHEN, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MINCEY, MOORE, MUSCARELLO, NELSON, NEWELL, ORGERON, CHARLES OWEN, ROBERT OWEN, PHELPS, PIERRE, PRESSLY, RISER, ROMERO, SCHAMERHORN, SCHEXNAYDER, SEABAUGH, SELDERS, STAGNI, STEFANSKI, TARVER, THOMAS, THOMPSON, TURNER, VILLIO, WHEAT, WHITE, WILLARD, WRIGHT AND ZERINGUE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences on behalf of the members of the Legislature of Louisiana, past and present, and the citizens of Louisiana to the family of Governor Murphy James "Mike" Foster Jr., businessman and statesman.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mills, R.
Abraham	Foil	Mizell
Allain	Harris	Morris
Barrow	Henry	Peacock
Bernard	Hensgens	Price
Boudreaux	Hewitt	Reese
Bouie	Jackson	Smith
Carter	Johns	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	
Total - 35		

NAYS

Total - 0

ABSENT

Lambert	Pope
Peterson	Womack
Total - 4	

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Mack A. "Bodi" White Jr., Chairman on behalf of the Committee on Finance, submitted the following report:

October 6, 2020

To the President and Members of the Senate:

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

SENATE BILL NO. 25—
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 30:86(C) and the introductory paragraph of R.S. 30:86(E), and to enact R.S. 30:86(D)(9) and (E)(7), relative to the Louisiana Oilfield Site Restoration Law; to provide for the deposit of monies from the Louisiana Main Street Recovery Fund; to provide for the uses and sources of the Oilfield Site Restoration Fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 37—
BY SENATOR WHITE

AN ACT

To enact R.S. 48:58, relative to the duties of the secretary of the Department of Transportation and Development; to provide that the secretary shall begin construction immediately and expeditiously after funding is made available for a project in the capital outlay act; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MACK A. "BODI" WHITE JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Barrow Peacock, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

October 6, 2020

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 10—
BY SENATOR FOIL

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study certain matters pertaining to the Louisiana Trust Code.

Reported with amendments.

Respectfully submitted,
BARROW PEACOCK
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

October 6, 2020

To the President and Members of the Senate:

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

SENATE BILL NO. 18—
BY SENATOR CATHEY

AN ACT

To enact R.S. 26:71(A)(3)(f) and 271(A)(7), relative to the Alcoholic Beverage Control Law; to provide for Class A-General permit fee payments; to provide for Class A-General malt beverages or beverages of low alcoholic content permit fee payments; to provide for permit fee credits and refunds under certain exceptions related to COVID-19; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 24—
BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 26:794 and to enact R.S. 40:31.37(J), relative to licensing and permit fees; to provide for an exemption or refund for fees paid by certain businesses closed due to COVID-19; to provide for an effective date; and to provide for related matters.

Reported with amendments.

October 6, 2020

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVE SCHEXNAYDER
A CONCURRENT RESOLUTION

To suspend until thirty days after final adjournment of the 2020 Second Extraordinary Session of the Legislature of Louisiana the authority of the governor to declare or renew a state of emergency or public health emergency which addresses or is related to the COVID-19 pandemic pursuant to R.S. 29:724(A) and (B)(1), 766(A) and (B), and 768(A).

Reported favorably.

HOUSE BILL NO. 4—

BY REPRESENTATIVES WRIGHT, BACALA, DWIGHT, EDMONDS, EMERSON, FIRMENT, HODGES, HORTON, MIKE JOHNSON, MIGUEZ, NELSON, ORGERON, CHARLES OWEN, ROBERT OWEN, SCHAMERHORN, AND TARVER
AN ACT

To amend and reenact R.S. 29:724(B)(1) and 768(A) and to enact R.S. 29:768.1, relative to emergency declarations; to provide relative to the renewal of emergency declarations; to provide for legislative power and authority regarding renewal of emergency declarations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 14—

BY REPRESENTATIVE STEFANSKI
AN ACT

To amend and reenact R.S. 27:417(A)(2)(introductory paragraph) and (B)(2) and to enact R.S. 27:417(B)(3) and (D), relative to licensing requirements for qualified truck stop facilities; to provide relative to criteria and amenity requirements for qualified truck stop facilities during a declared emergency; to provide relative to the suspension of operations of the criteria and amenity requirements; to provide relative to the operation of video draw poker devices; to provide relative to force majeure; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GARY L. SMITH JR.
Chairman

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

Senator Smith asked for and obtained a suspension of the rules to take up Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 18—

BY SENATOR CATHEY
AN ACT

To enact R.S. 26:71(A)(3)(f) and 271(A)(7), relative to the Alcoholic Beverage Control Law; to provide for Class A-General permit fee payments; to provide for Class A-General malt beverages or beverages of low alcoholic content permit fee payments; to provide for permit fee credits and refunds under certain exceptions related to COVID-19; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 18 by Senator Cathey

AMENDMENT NO. 1

On page 1, line 2, change "26:71(A)(3)(f)" to "26:71(A)(8)"

AMENDMENT NO. 2

On page 1, line 3, change "Class A-General" to "certain"

AMENDMENT NO. 3

On page 1, at the end of line 3, change "Class" to "certain" and at the beginning of line 4, delete "A-General"

AMENDMENT NO. 4

On page 1, line 8, change "26:71(A)(3)(f)" to "26:71(A)(8)"

AMENDMENT NO. 5

On page 2, delete lines 1 and 2

AMENDMENT NO. 6

On page 2, at the beginning of line 3, change "(f)" to "(8)"

AMENDMENT NO. 7

On page 2, delete lines 4 and 5, and insert

"(a) A permit holder that timely paid its permit fee due to the"

AMENDMENT NO. 8

On page 2, line 6, between "calendar year" and the comma ",," insert "pursuant to Subparagraph (1)(a), Item (3)(a)(i), and Subparagraph (3)(d) of this Subsection"

AMENDMENT NO. 9

On page 2, at the end of line 7, delete "waived." and insert the following: "reduced on a pro rata basis for number of days in calendar year 2020 that the permit holder was required to temporarily close operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency."

AMENDMENT NO. 10

On page 2, delete lines 8 and 9, and insert

"(b) A permit holder that timely paid its permit fee due to the"

AMENDMENT NO. 11

On page 2, line 10, between "calendar year" and the comma ",," insert "pursuant to Subparagraph (1)(a), Item (3)(a)(i), and Subparagraph (3)(d) of this Subsection"

AMENDMENT NO. 12

On page 2, line 13, after "amount paid" insert the following: ", but reduced on a pro rata basis for number of days in calendar year 2020 that the permit holder was required to temporarily close operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency."

AMENDMENT NO. 13

On page 2, delete lines 26 and 27, and insert

"(a) A permit holder that timely paid its permit fee due"

AMENDMENT NO. 14

On page 2, line 28, between "calendar year" and the comma ",," insert "pursuant to Subparagraph (2)(a), Paragraph (5), and Subparagraph (6)(a) of this Subsection"

AMENDMENT NO. 15

On page 2, at the end of line 29, delete "waived." and insert the following: "reduced on a pro rata basis for number of days in calendar year 2020 that the permit holder was required to temporarily close operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency."

AMENDMENT NO. 16

On page 3, delete lines 1 and 2, and insert

"(b) A permit holder that timely paid its permit fee due"

AMENDMENT NO. 17

On page 3, line 3, between "**calendar year**" and the comma "," insert "**pursuant to Subparagraph (2)(a), Paragraph (5), and Subparagraph (6)(a) of this Subsection**"

AMENDMENT NO. 18

On page 3, line 6, after "**amount paid**" insert the following: "**but reduced on a pro rata basis for number of days in calendar year 2020 that the permit holder was required to temporarily close operations pursuant to Proclamation Number 30 JBE 2020, or any subsequent proclamation declaring the existence of a statewide COVID-19 public health emergency.**"

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

SENATE BILL NO. 24—

BY SENATOR TALBOT

AN ACT

To amend and reenact R.S. 26:794 and to enact R.S. 40:31.37(J), relative to licensing and permit fees; to provide for an exemption or refund for fees paid by certain businesses closed due to COVID-19; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 24 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 26:794 and to"

AMENDMENT NO. 2

On page 1, delete lines 7 through 17, and on page 2, delete lines 1 through 14

AMENDMENT NO. 3

On page 2, line 15, change "Section 2." to "Section 1."

AMENDMENT NO. 4

On page 3, line 1, change "Section 3." to "Section 2."

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

SENATE BILL NO. 25—

BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 30:86(C) and the introductory paragraph of R.S. 30:86(E), and to enact R.S. 30:86(D)(9) and (E)(7), relative to the Louisiana Oilfield Site Restoration Law; to provide for the deposit of monies from the Louisiana Main Street Recovery Fund; to provide for the uses and sources of the Oilfield Site Restoration Fund; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 25 by Senator Allain

AMENDMENT NO. 1

On page 2, between lines 24 and 25, insert the following: "Section 2. If it is determined that assessing and restoring orphan oilfield sites is not an allowable use of CARES Act funds, any monies transferred to the Oilfield Site Restoration Fund shall revert to the Louisiana Main Street Recovery Fund."

Section 3. The provisions of this Act shall only apply to any monies in the Louisiana Main Street Recovery Fund which are unobligated as of the effective date of this Act."

AMENDMENT NO. 2

On page 2, line 25, change "Section 2." to "Section 4."

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

SENATE BILL NO. 37—

BY SENATOR WHITE

AN ACT

To enact R.S. 48:58, relative to the duties of the secretary of the Department of Transportation and Development; to provide that the secretary shall begin construction immediately and expeditiously after funding is made available for a project in the capital outlay act; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 37 by Senator White

AMENDMENT NO. 1

On page 1, line 5, after "act;" and before "to provide" insert "to provide relative to public statements and notices of delay in construction;"

AMENDMENT NO. 2

On page 1, at the end of line 9, delete "**work**" and insert "**work; notice of delays**"

AMENDMENT NO. 3

On page 1, at the end of line 12, insert the following: "**If a project cannot be commenced within the fiscal year for which it is planned to commence, the secretary shall file with the project records a public statement as to the factors causing the delay. The secretary shall send a copy of the public statement regarding the cause of the delay and notice when the delaying factors have been overcome semi-annually, to the Joint Legislative Committee on Capital Outlay and to each senator and representative in whose district the project is located. When the cause of the delay has been cured, the secretary shall commence work on the project immediately and expeditiously.**"

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

House Bills and Joint Resolutions on Second Reading Just Reported by Committees

Senator Smith asked for and obtained a suspension of the rules to take up House Bills.

HOUSE BILL NO. 4—

BY REPRESENTATIVES WRIGHT, BACALA, DWIGHT, EDMONDS, EMERSON, FIRMENT, HODGES, HORTON, MIKE JOHNSON, MIGUEZ, NELSON, ORGERON, CHARLES OWEN, ROBERT OWEN, SCHAMERHORN, AND TARVER

AN ACT

To amend and reenact R.S. 29:724(B)(1) and 768(A) and to enact R.S. 29:768.1, relative to emergency declarations; to provide relative to the renewal of emergency declarations; to provide for legislative power and authority regarding renewal of emergency declarations; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

October 6, 2020

HOUSE BILL NO. 14—

BY REPRESENTATIVE STEFANSKI
AN ACT

To amend and reenact R.S. 27:417(A)(2)(introductory paragraph) and (B)(2) and to enact R.S. 27:417(B)(3) and (D), relative to licensing requirements for qualified truck stop facilities; to provide relative to criteria and amenity requirements for qualified truck stop facilities during a declared emergency; to provide relative to the suspension of operations of the criteria and amenity requirements; to provide relative to the operation of video draw poker devices; to provide relative to force majeure; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and referred to the Legislative Bureau.

**Senate Bills and Joint Resolutions
Returned from the House of Representatives
with Amendments**

SENATE BILL NO. 29—

BY SENATORS CORTEZ AND MCMATH
AN ACT

To amend and reenact R.S. 29:724(B)(1) and (2) and (D)(1), 766(D)(1), and 768 and to enact R.S. 29:724(I), relative to emergencies and disasters in the state of Louisiana; to provide for duties and powers of the governor and of the legislature; to create the Legislative Emergency Declaration Review Committee; to provide relative to renewals of certain gubernatorial emergency or disaster declarations or of suspensions related thereto; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 29 by Senator Cortez

AMENDMENT NO. 1

On page 2, line 10, delete "of" and insert "**related to the same**"

AMENDMENT NO. 2

On page 2, at the end of line 10 insert "**The petition shall be in the form of a concurrent resolution if the legislature is in session. The petition may be completed by mail ballot if the legislature is not in session.**"

AMENDMENT NO. 3

On page 3, line 25, change "**seven days**" to "**seventy-two hours**"

AMENDMENT NO. 4

On page 4, line 3, delete "**not later than five days**"

AMENDMENT NO. 5

On page 5, line 10, delete "of" and insert "**related to the same**"

AMENDMENT NO. 6

On page 5, at the end of line 10 insert "**The petition shall be in the form of a concurrent resolution if the legislature is in session. The petition may be completed by mail ballot if the legislature is not in session.**"

AMENDMENT NO. 7

On page 5, line 20, change "**seven days**" to "**seventy-two hours**"

AMENDMENT NO. 8

On page 6, line 1, delete "**not later than five days**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dwight to Reengrossed Senate Bill No. 29 by Senator Cortez

AMENDMENT NO. 1

Delete House Committee Amendment No. 2 and 6 by the House Committee on House and Governmental Affairs (#222)

AMENDMENT NO. 2

On page 2, line 6, change "by petition signed by" to "**with the approval of**"

AMENDMENT NO. 3

On page 2, line 8, change "petition terminating" to "**termination of**"

AMENDMENT NO. 4

On page 2, at the end of line 10, insert the following: "**The termination shall be approved by concurrent resolution if the legislature is in session. The termination may be completed by mail ballot or petition if the legislature is not in session. If a period of time is established during which no other declaration may be issued, it shall not exceed thirty days. Either form of the petition shall be offered by the chairman of the Legislative Emergency Declaration Review Committee after a hearing pursuant to Subsection I of this Section, wherein the committee upon majority vote recommends to terminate the emergency declaration. The procedure, transmittal, and receipt of mail ballots shall be the same as La. R.S. 39:461.1.**"

AMENDMENT NO. 5

On page 4, at the end of line 1, insert the following: "**Nothing in this Subsection shall prohibit the governor from making modifications, additions, or corrections to the order, proclamation, or suspension after submission of the notification to the committee. The governor shall submit any modifications, additions, or corrections to the order, proclamation, or suspension to the committee before issuance.**"

AMENDMENT NO. 6

On page 5, at the end of line 5, delete "by a" and at the beginning of line 6, delete "petition signed by" and insert "**with the approval of**"

AMENDMENT NO. 7

On page 5, at the end of line 7, change "petition terminating" to "**termination of**"

AMENDMENT NO. 8

On page 5, at the end of line 10, insert the following: "**The termination shall be approved by concurrent resolution if the legislature is in session. The termination may be completed by mail ballot or petition if the legislature is not in session. If a period of time is established during which no other declaration may be issued, it shall not exceed thirty days. Either form of the petition shall be offered by the chairman of the Legislative Emergency Declaration Review Committee after a hearing pursuant to this Subsection C of this Section, wherein the committee upon majority vote recommends to terminate the emergency declaration. The procedure, transmittal, and receipt of mail ballots shall be the same as La. R.S. 39:461.1.**"

AMENDMENT NO. 9

On page 5, line 26, after "**renewal.**" insert the following: "**Nothing in this Subsection shall prohibit the governor from making modifications, additions, or corrections to the order, proclamation, or suspension after submission of the notification to the committee. The governor shall submit any modifications, additions, or corrections to the order, proclamation, or suspension to the committee before issuance.**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McFarland to Reengrossed Senate Bill No. 29 by Senator Cortez

AMENDMENT NO. 1

On page 3, line 24, change "The" to "Subject to the provisions of Paragraph (5) of this Subsection, the"

AMENDMENT NO. 2

On page 3, line 28, between "suspension." and "The" insert the following: "He shall also submit the notification to the clerk of the House of Representatives and to the secretary of the Senate to present the question of approval of the renewal to the surviving members of each house of the legislature in the manner provided in Paragraph (5) of this Subsection."

AMENDMENT NO. 3

On page 4, between lines 7 and 8, insert the following:

"(5) Immediately upon receipt of the notification from the governor as provided in Paragraph (3) of this Subsection, the clerk of the House of Representatives and the secretary of the senate shall jointly prepare and transmit a ballot to each surviving member of the legislature as follows:

(a) The ballots shall be uniform.

(b) Each ballot shall contain a question phrased to allow each member to cast his vote for or against the renewal of the state of disaster or emergency.

(c) Each ballot shall include a place for the member to whom the ballot has been transmitted to provide his name and validate his ballot after casting his vote.

(d) The clerk of the House of Representatives and the secretary of the Senate shall transmit the ballots to all of the surviving members on the same day. The clerk and the secretary shall certify this date, which is referred to in this Paragraph as the "transmittal date".

(e) The clerk and the secretary shall provide a notice to each member of the legislature on the transmittal date. The notice shall include all of the following:

(i) The notification from the governor.

(ii) The date and time by which the ballot shall be returned to the clerical officer of the member's house in order to be valid.

(iii) Such other pertinent information as the clerk and the secretary shall determine.

(f) The member shall cast his vote, provide his name in the appropriate place on the ballot, and return the voted ballot to the clerical officer of his house.

(g) The clerk and the secretary shall provide notice to each member from whom the clerk or the secretary, as applicable, receives a voted ballot confirming that the ballot has been received.

(h) On the fourth day after the transmittal date, the clerk and the secretary shall provide a notice to each member whose voted ballot has not been received indicating that the member's voted ballot has not been received and informing the member of the deadline for returning the ballot.

(i) Ballots shall be returned to the clerk and the secretary no later than five o'clock p.m. on the fifth day after the transmittal date.

(j) No ballot received by the clerk and the secretary after the deadline provided in Subparagraph (i) of this Paragraph shall be valid or counted, but the day and time received shall be recorded for each ballot received after such time, and the ballot shall be marked "Invalid". However, prior to the deadline for returning a ballot, a member may withdraw his ballot or change his vote upon his written request.

(k)(i) Whenever the clerk of the House of Representatives and the secretary of the Senate are to transmit a ballot or notice to a member of the legislature pursuant to this Paragraph, the ballot or notice shall be transmitted using the most efficient medium available to the clerk or the secretary under the circumstances and may include but is not limited to electronic mail or SMS communications. Any such medium shall provide for notice of receipt and the records of all such transmittals and

notices shall be maintained and preserved for a least six months following the tabulation.

(ii) The clerk and the secretary shall devise a method for a member to validate his ballot which may include signature, personal identification number, or other secure method.

(l)(i) On the next business day after the deadline for returning ballots as provided in Subparagraph (i) of this Paragraph, the clerk of the House of Representatives and the secretary of the Senate shall tabulate the vote in roll call order for each house of the legislature. The clerk and the secretary shall hold such ballots under seal and shall not disclose the contents to any person until the day when such ballots are tabulated. No ballot shall be deemed spoiled if inadvertently disclosed in processing.

(ii) The tabulation shall indicate by name those members who voted for the renewal, those who voted against the renewal, those returned a valid ballot but who did not vote, those who did not return the ballot by the due date and time, and those whose ballots were invalid because not validated by the member. The clerk and the secretary shall sign the tabulation sheet or sheets and cause a summary thereof to be transmitted to each member of the legislature and the governor. Further, the clerk and the secretary shall disseminate the tabulation promptly by means calculated to bring its contents to the attention of the general public and promptly file it with the Governor's Office of Homeland Security and Emergency Preparedness and with the secretary of state.

(m)(i) If a majority of the surviving members of each house of the legislature vote to approve the renewal then the governor may proceed with issuing the order or proclamation to renew the state of disaster or emergency.

(ii) If a majority of the surviving members of each house of the legislature do not approve the renewal, then the state of disaster or emergency is deemed terminated as of the date and time the tabulation is transmitted to the governor and the governor shall not issue another order or proclamation to renew that state of disaster or emergency."

AMENDMENT NO. 4

On page 5, line 3, change "Subsection C" to "Subsections C and D"

AMENDMENT NO. 5

On page 5, line 19, change "The" to "Subject to the provisions of Subsection D of this Section, the"

AMENDMENT NO. 6

On page 5, line 24, between "suspension." and "The" insert the following: "He shall also submit the notification to the clerk of the House of Representatives and to the secretary of the Senate to present the question of approval of the renewal to the surviving members of each house of the legislature in the manner provided in Subsection D of this Section."

AMENDMENT NO. 7

On page 6, between lines 5 and 6, insert the following:

"(D)(1) Immediately upon receipt of the notification from the governor as provided in Subsection C of this Section, the clerk of the House of Representatives and the secretary of the senate shall jointly prepare and transmit a ballot to each surviving member of the legislature as follows:

(a) The ballots shall be uniform.

(b) Each ballot shall contain a question phrased to allow each member to cast his vote for or against the renewal of the state of public health emergency.

(c) Each ballot shall include a place for the member to whom the ballot has been transmitted to provide his name and validate his ballot after casting his vote.

(2) The clerk of the House of Representatives and the secretary of the Senate shall transmit the ballots to all of the surviving members on the same day. The clerk and the secretary shall certify this date, which is referred to in this Subsection as the "transmittal date".

(3) The clerk and the secretary shall provide a notice to each member of the legislature on the transmittal date. The notice shall include all of the following:

(a) The notification from the governor.

(b) The date and time by which the ballot shall be returned to the clerical officer of the member's house in order to be valid.

(c) Such other pertinent information as the clerk and the secretary shall determine.

(4) The member shall cast his vote, provide his name in the appropriate place on the ballot, and return the voted ballot to the clerical officer of his house.

(5) The clerk and the secretary shall provide notice to each member from whom the clerk or the secretary, as applicable, receives a voted ballot confirming that the ballot has been received.

(6) On the fourth day after the transmittal date, the clerk and the secretary shall provide a notice to each member whose voted ballot has not been received indicating that the member's voted ballot has not been received and informing the member of the deadline for returning the ballot.

(7) Ballots shall be returned to the clerk and the secretary no later than five o'clock p.m. on the fifth day after the transmittal date.

(8) No ballot received by the clerk and the secretary after the deadline provided in Paragraph (7) of this Subsection shall be valid or counted, but the day and time received shall be recorded for each ballot received after such time, and the ballot shall be marked "Invalid". However, prior to the deadline for returning a ballot, a member may withdraw his ballot or change his vote upon his written request.

(9)(a) Whenever the clerk of the House of Representatives and the secretary of the Senate are to transmit a ballot or notice to a member of the legislature pursuant to this Paragraph, the ballot or notice shall be transmitted using the most efficient medium available to the clerk or the secretary under the circumstances and may include but is not limited to electronic mail or SMS communications. Any such medium shall provide for notice of receipt and the records of all such transmittals and notices shall be maintained and preserved for a least six months following the tabulation.

(b) The clerk and the secretary shall devise a method for a member to validate his ballot which may include signature, personal identification number, or other secure method.

(10)(a) On the next business day after the deadline for returning ballots as provided in Paragraph (7) of this Subsection the clerk of the House of Representatives and the secretary of the Senate shall tabulate the vote in roll call order for each house of the legislature. The clerk and the secretary shall hold such ballots under seal and shall not disclose the contents to any person until the day when such ballots are tabulated. No ballot shall be deemed spoiled if inadvertently disclosed in processing.

(b) The tabulation shall indicate by name those members who voted to approve the renewal, those who voted against the renewal, those returned a valid ballot but who did not vote, those who did not return the ballot by the due date and time, and those whose ballots were invalid because not validated by the member. The clerk and the secretary shall sign the tabulation sheet or sheets and cause a summary thereof to be transmitted to each member of the legislature and the governor. Further, the clerk and the secretary shall disseminate the tabulation promptly by means calculated to bring its contents to the attention of the general public and promptly file it with the Governor's Office of Homeland Security and Emergency Preparedness, with the secretary of state, and with the Louisiana Department of Health, office of public health.

(11)(a) If a majority of the surviving members of each house of the legislature vote to approve the renewal then the governor may proceed with issuing the order or proclamation to renew the state of public health emergency.

(b) If a majority of the surviving members of each house of the legislature do not approve the renewal, then the state of public health emergency is deemed terminated as of the date and time the tabulation is transmitted to the governor and the

governor shall not issue another order or proclamation to renew that state of public health emergency."

AMENDMENT NO. 8

On page 6, line 6, change "applied" to "construed"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Frieman to Reengrossed Senate Bill No. 29 by Senator Cortez

AMENDMENT NO. 1

On page 2, line 7, after "terminate" insert "the entire declaration of" and after "emergency" insert "or any section or subsection of the executive order or proclamation declaring the state of disaster or emergency"

AMENDMENT NO. 2

On page 5, line 7, after "terminate" insert "the entire declaration of" and after "emergency" insert "or any section or subsection of the executive order or proclamation declaring the state of public health emergency"

Senator McMath moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Foil	Mizell
Abraham	Harris	Morris
Allain	Henry	Peacock
Bernard	Hensgens	Price
Boudreaux	Hewitt	Reese
Bouie	Jackson	Smith
Carter	Johns	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	
Fields	Mills, R.	
Total - 34		

NAYS

Total - 0

ABSENT

Barrow	Peterson	Womack
Lambert	Pope	
Total - 5		

The Chair declared the Senate rejected the amendments proposed by the House.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 1— BY SENATOR WARD

AN ACT

To amend and reenact R.S. 47:6006(B), relative to tax credits and incentives; to provide for the carryforward of the tax credit for ad valorem taxes paid on inventory; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mills, R.
Abraham	Foil	Mizell
Allain	Harris	Morris
Barrow	Henry	Peacock
Bernard	Hensgens	Price
Boudreaux	Hewitt	Reese
Bouie	Jackson	Smith
Carter	Johns	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	

Total - 35

NAYS

Total - 0

ABSENT

Lambert	Pope
Peterson	Womack

Total - 4

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

SENATE BILL NO. 26—
BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 48:1655(N), relative to the employees of the Regional Transit Authority; to provide for membership in the Louisiana State Employees' Retirement System; to provide for calculation of and payments for certain unfunded accrued liability attributable to the authority; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mills, R.
Abraham	Foil	Mizell
Allain	Harris	Morris
Barrow	Henry	Peacock
Bernard	Hensgens	Price
Boudreaux	Hewitt	Reese
Bouie	Jackson	Smith
Carter	Johns	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	

Total - 35

NAYS

Total - 0

ABSENT

Lambert	Pope
Peterson	Womack

Total - 4

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

SENATE BILL NO. 50—
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 39:122(A), relative to work on projects in the annual capital outlay act; to provide relative to the commencement of work or delays in construction; to provide relative to public statements and notices of delays in construction; to provide relative to the retention of funds for capital outlay projects which are delayed; to provide for an effective date; and to provide for related matters.

Floor Amendments

Senator Allain proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Allain to Engrossed Senate Bill No. 50 by Senator Allain

AMENDMENT NO. 1

On page 1, on line 5, after "construction;" delete the remainder of the line, and at the beginning of line 6, delete "which are delayed;"

On motion of Senator Allain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Mills, R.
Abraham	Foil	Mizell
Allain	Harris	Morris
Barrow	Henry	Peacock
Bernard	Hensgens	Price
Boudreaux	Hewitt	Reese
Bouie	Jackson	Smith
Carter	Johns	Talbot
Cathey	Luneau	Tarver
Cloud	McMath	Ward
Connick	Milligan	White
Fesi	Mills, F.	

Total - 35

NAYS

Total - 0

ABSENT

Lambert	Pope
Peterson	Womack

Total - 4

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

October 6, 2020

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

Called from the Calendar

Senator Hewitt asked that Senate Bill No. 39 be called from the Calendar for reconsideration.

SENATE BILL NO. 39— BY SENATOR HEWITT

AN ACT

To enact R.S. 42:17.2, relative to meetings of legislative houses and committees during a gubernatorially declared state of disaster or emergency; to provide for public input; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their counts.

NAYS

Total - 0

ABSENT

Table with 3 columns: Allain, Peterson, Womack. Lists names of absent senators.

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

Called from the Calendar

Senator Hewitt asked that Senate Bill No. 40 be called from the Calendar.

SENATE BILL NO. 40— BY SENATOR HEWITT

A JOINT RESOLUTION

Proposing to amend Article XII, Section 11 of the Constitution of Louisiana, relative to continuity of government during periods of emergency; to provide relative to sessions, meetings, and proceedings of the legislature and legislative bodies; to provide relative to member participation and voting; to provide certain procedures, terms, conditions, and requirements; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments

Senator Hewitt proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hewitt to Engrossed Senate Bill No. 40 by Senator Hewitt

AMENDMENT NO. 1

On page 1, line 13, after "legislature" delete the comma

AMENDMENT NO. 2

On page 2, line 5, after "members" and before "are" change "of either house" to "of the house taking action"

AMENDMENT NO. 3

On page 2, line 6, after "person" change "at the state capitol" to "in the state capital"

On motion of Senator Hewitt, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Yeas, Nays. Lists names of senators and their counts.

NAYS

Table with 3 columns: Barrow, Boudreaux, Bouie, Carter, Harris, Luneau, Tarver. Lists names of senators and their counts.

ABSENT

Table with 3 columns: Allain, Lambert, Peterson, Pope, Price, White, Womack. Lists names of absent senators.

The Chair declared the amended bill failed to pass for lack of receiving the required two-thirds vote.

Notice of Reconsideration

Senator Hewitt moved to reconsider on the next Legislative Day the vote by which the amended bill failed to pass.

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

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

SENATE BILL NO. 70—
BY SENATOR JACKSON

AN ACT

To enact R.S. 39:33.3, relative to approval of the minimum foundation program formula; to provide for the method of legislative approval of adjustments to the formula adopted by the State Board of Elementary and Secondary Education in response to a declared disaster or emergency when the legislature is not in session; to provide relative to ballots, voting procedures, tabulation of votes, and notification of results; and to provide for related matters.

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

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 12—
BY SENATOR BARROW

A RESOLUTION

To commend the Phillip's Masonic Lodge 238 and Progressive Chapter 186 Order of the Eastern Star on the occasion of the fiftieth anniversary of the founding of both of these chapters in Clinton, Louisiana.

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

Introduction of
Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To adopt Joint Rule 9(D) of the Joint Rules of Order of the Senate and House of Representatives to provide for legislative approval of changes to the minimum foundation program formula (MFP) adopted by the State Board of Elementary and Secondary Education in response to a gubernatorially declared disaster or emergency when the legislature is not in session.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Troy Carter, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

October 6, 2020

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 5—
BY SENATOR REESE

A CONCURRENT RESOLUTION

To suspend until June 30, 2021, the provisions of R.S. 23:1474(C) and (G)(3), 1532.1, and 1536(E)(1) and (F)(3)(a)(i) providing for certain unemployment taxes, assessments, and benefits.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 9—
BY SENATORS CORTEZ AND REESE

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the provisions of R.S. 23:1536(E)(1) relative to the unemployment insurance solvency tax on employers.

Reported favorably.

SENATE BILL NO. 55—
BY SENATORS CORTEZ AND REESE

AN ACT

To amend and reenact R.S. 23:1541(D) and 1553(B)(8) and (10) and to enact R.S. 23:1474(J), relative to unemployment insurance; to provide for taxes and benefits for calendar year 2021; to provide relative to the social charge account; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
TROY CARTER
Chairman

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

Senator Carter asked for and obtained a suspension of the rules to take up Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 55—
BY SENATORS CORTEZ AND REESE

AN ACT

To amend and reenact R.S. 23:1541(D) and 1553(B)(8) and (10) and to enact R.S. 23:1474(J), relative to unemployment insurance; to provide for taxes and benefits for calendar year 2021; to provide relative to the social charge account; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 55 by Senator Cortez

AMENDMENT NO. 1

On page 1, delete line 2 and insert "To enact R.S."

AMENDMENT NO. 2

On page 1, line 4, delete "to provide relative to the social charge account;"

AMENDMENT NO. 3

On page 1, delete line 7 and on line 8 delete "reenacted and" and insert "Section 1."

AMENDMENT NO. 4

Delete page 2 and on page 3 delete lines 1 through 12 in their entirety

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

October 6, 2020

Senate Concurrent Resolutions on Second Reading Just Reported by Committees

Senator Carter asked for and obtained a suspension of the rules to take up Senate Concurrent Resolutions just reported by Committees.

SENATE CONCURRENT RESOLUTION NO. 5— BY SENATOR REESE AND REPRESENTATIVE BEAULLIEU A CONCURRENT RESOLUTION

To suspend until June 30, 2021, the provisions of R.S. 23:1474(C) and (G)(3), 1532.1, and 1536(E)(1) and (F)(3)(a)(i) providing for certain unemployment taxes, assessments, and benefits.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Concurrent Resolution No. 5 by Senator Reese

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 and insert the following: "To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature the provisions of R.S. 23:1474(C), (G)(3), and (H) providing for the determination of the unemployment insurance taxable wage base, maximum weekly benefit amount, and formula for the calculation of benefits for the 2021 calendar year.

WHEREAS, present law requires that each September the Revenue Estimating Conference meet to adopt a projected balance of the state's unemployment trust fund for one year into the future and for the secretary of the Louisiana Workforce Commission to take the lower amount of that projection and the actual September first balance in the current year to use in determining the taxable wage base, maximum weekly benefit amount, and formula for calculating benefits for the upcoming calendar year; and

WHEREAS, as the balance in the state's trust fund declines, payroll taxes increase on business and benefits decrease for unemployed workers and as the balance in the trust rises, payroll taxes decrease on businesses and benefits increase for unemployed workers; and"

AMENDMENT NO. 2

On page 1, line 9 change "around" to "in"

AMENDMENT NO. 3

On page 2, line 2, change "Louisiana Workforce Commission (commission)" to "commission"

AMENDMENT NO. 4

On page 2, line 7, after "payments" insert "to unemployed workers"

AMENDMENT NO. 5

On page 2, delete lines 9 through 13

AMENDMENT NO. 6

On page 2, delete lines 17 through 23 and insert the following: "WHEREAS, in an effort to stabilize unemployment taxes on businesses and unemployment benefits to unemployed workers, it is necessary to temporarily suspend present law procedures that trigger those consequences.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana hereby suspends the provision of R.S. 23:1474(C), (G)(3), and (H) providing for the determination of the unemployment insurance taxable wage base, maximum weekly benefit amount, and formula for the calculation of benefits.

BE IT FURTHER RESOLVED that this suspension shall become effective upon adoption of this Resolution and shall extend through the sixtieth day after final adjournment of the 2021 Regular Session of the Legislature of Louisiana."

On motion of Senator Carter, the committee amendment was adopted. The amended concurrent resolution was read by title, ordered engrossed and recommitted to the Committee on Revenue and Fiscal Affairs.

SENATE CONCURRENT RESOLUTION NO. 9— BY SENATORS CORTEZ AND REESE A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the provisions of R.S. 23:1536(E)(1) relative to the unemployment insurance solvency tax on employers.

Reported favorably by the Committee on Labor and Industrial Relations. The concurrent resolution was read by title, ordered engrossed and recommitted to the Committee on Revenue and Fiscal Affairs.

Rules Suspended

Senator Hewitt asked for and obtained a suspension of the rules to allow the Senate Committee on Senate and Governmental Affairs to meet without the required 1:00 P.M. posting time.

ATTENDANCE ROLL CALL

PRESENT

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

Total - 35

ABSENT

Table with 2 columns: Name, Name. Lists absent members: Lambert, Peterson, Pope, Womack.

Total - 4

Leaves of Absence

The following leaves of absence were asked for and granted:

Table with 2 columns: Name, Days. Lists leaves: Lambert 1 Day, Peterson 1 Day, Pope 1 Day, Womack 1 Day.

Announcements

The following committee meetings for October 7, 2020, were announced:

Table with 3 columns: Committee, Time, Room. Lists meetings: Commerce (1:00 P.M., Room E), Education (9:00 A.M., Hainkel Room), Finance (Upon Adj., Room A), Health and Welfare (1:00 P.M., Hainkel Room), Insurance (2:00 P.M., Room A), Senate and Gov't Affairs (9:00 A.M., Room A), Transportation (9:30 A.M., Room E).

Adjournment

On motion of Senator Talbot, at 2:15 o'clock P.M. the Senate adjourned until Wednesday, October 7, 2020, at 3:00 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

