

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FOURTH DAY'S PROCEEDINGS

Forty-Second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, March 21, 2016

The Senate was called to order at 5:10 o'clock P.M. by Hon.
John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Gatti	Morrish
Allain	Hewitt	Peacock
Appel	Johns	Perry
Bishop	LaFleur	Peterson
Boudreaux	Lambert	Riser
Brown	Long	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	White
Cortez	Mizell	
Fannin	Morrell	
Total - 34		

ABSENT

Barrow	Erdey	Ward
Donahue	Smith, G.	
Total - 5		

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

Prayer

The prayer was offered by Pastor Brian Crain, 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 White, the reading of the Journal was
dispensed with and the Journal of March 16, 2016, was adopted.

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 20—
BY SENATOR JOHNS

A RESOLUTION

To recognize, commend, and congratulate Joseph T. Miller Sr. for his
unselfish and countless contributions to the McNeese State
University baseball and softball programs and Lake Charles area
youth baseball.

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

SENATE RESOLUTION NO. 21—
BY SENATORS BOUDREAU AND CORTEZ
A RESOLUTION

To express the sincere condolences of the Senate of the Legislature
of Louisiana upon the death of William Ward "Bill" Rucks III.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To create the Riverboat Economic Development and Gaming Task
Force to study current law and existing rules and regulations
regarding riverboat gaming.

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. 361—
BY SENATOR MORRISH

AN ACT

To amend and reenact R.S. 17:4013(2)(a) and (b), 4015(3)(b) and
(7)(b), and 4021(C), relative to the Student Scholarships for
Educational Excellence Program; to provide with respect to
eligibility of students to participate in the scholarship program;
and to provide for related matters.

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

SENATE BILL NO. 362—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 46:460.52, relative to the Medical
Assistance Program; to provide for exemptions; 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 Resolutions on
Second Reading**

SENATE RESOLUTION NO. 16—
BY SENATOR BARROW

A RESOLUTION

To commend and congratulate Coach Harvey Adger on his 800th win
as a head basketball coach.

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

SENATE RESOLUTION NO. 17—
BY SENATOR BARROW

A RESOLUTION

To commend and congratulate Dr. Rochelle Head-Dunham for her
dedicated public service with the Department of Health and
Hospitals, office of behavioral health.

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

SENATE RESOLUTION NO. 18—
BY SENATOR JOHNS

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature
of Louisiana upon the death of Grace B. Savoie.

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

March 21, 2016

SENATE RESOLUTION NO. 19—
BY SENATOR CLAITOR

A RESOLUTION

To amend and readopt Senate Rule No. 12.12(A) and (C)(1) and to adopt Senate Rule No. 7.9.1 of the Rules of Order of the Senate, relative to unofficial enrollment of a bill or joint resolution which is the subject of a conference committee report submitted to the Senate and consideration of the report.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR WARD

A CONCURRENT RESOLUTION

To request the Louisiana State Law Institute to study and make recommendations regarding state adult guardianship and ascendant laws relative to duties arising under "Peter Falk" statutes adopted in other states.

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

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To request the Louisiana State Law Institute to study the feasibility of revising state law to specifically authorize a right of action and legal standing for private associations to seek injunctive relief for a zoning violation when a municipality fails or refuses to do so and a person is harmed thereby, and also to study whether present penalties for zoning violations should be revised to be comparable with those in other states.

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

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To urge and request the New Orleans East Hospital to become an American Diabetes Association Education Recognition Program.

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

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 19.1 of the Joint Rules of Order of the Senate and House of Representatives to provide relative to conference committee reports and unofficial enrollment of certain legislative instruments.

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

SENATE CONCURRENT RESOLUTION NO. 16—
BY SENATORS MORRISH AND JOHNS AND REPRESENTATIVE GUINN

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of Senior Trooper Steven James Vincent, Unit Number D-57 of the Louisiana State Police.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 37

NAYS

Total - 0

ABSENT

Donahue Peterson

Total - 2

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

March 21, 2016

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. 214 HB No. 237 HB No. 323

HB No. 377 HB No. 482

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

**House Bills and Joint Resolutions
on First Reading**

HOUSE BILL NO. 214—
BY REPRESENTATIVE LANCE HARRIS
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Rapides Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 237—
BY REPRESENTATIVE WILLMOTT
AN ACT

To enact Children's Code Articles 1160(A)(1)(c) and 1161, relative to duties of the Department of Children and Family Services with respect to the Safe Haven Law; to establish and provide for an official Safe Haven symbol; to provide for purposes and uses

of the symbol; to provide for promulgation of rules; and to provide for related matters.

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

HOUSE BILL NO. 323—
BY REPRESENTATIVE JACKSON
AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Morehouse Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 377—
BY REPRESENTATIVE DANAHAY
AN ACT

To enact R.S. 18:65, relative to registrars of voters; to provide relative to retirement or resignation of a registrar; to require the filing of a notice of retirement or resignation of a registrar; to provide for the form of the notice; to provide for effectiveness and revocability of the notice; to provide relative to the duties of the secretary of state relative to retirement or resignation of a registrar; and to provide for related matters.

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

HOUSE BILL NO. 482—
BY REPRESENTATIVES JEFFERSON, HUNTER, AND JACKSON
AN ACT

To enact Chapter 35-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2431 through 2434, relative to foster care; to create and provide for the Foster Care and Permanence Task Force; to provide for the composition, functions, and duties of the task force; to provide for termination of the task force; and to provide for related matters.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

March 21, 2016

To the Honorable President and Members of the Senate:

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

- | | | |
|------------|------------|------------|
| HCR No. 15 | HCR No. 16 | HCR No. 17 |
| HCR No. 18 | HCR No. 19 | HCR No. 20 |

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

**House Concurrent Resolutions
on First Reading**

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE PUGH
A CONCURRENT RESOLUTION

To recognize the Manchac Greenway for its potential to serve as a cultural asset and economic engine for the state of Louisiana.

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

HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVE COX
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the members of the Legislature of Louisiana upon the death of Bob Gene Haynie.

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

HOUSE CONCURRENT RESOLUTION NO. 17—
BY REPRESENTATIVE CONNICK
A CONCURRENT RESOLUTION

To commend Edward Peter Benezech, Jr., on his service to his country in the United States Army during World War II.

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

HOUSE CONCURRENT RESOLUTION NO. 18—
BY REPRESENTATIVE MACK AND SENATORS ERDEY AND WHITE
A CONCURRENT RESOLUTION

To commend the Holden High School girls' basketball team for winning the 2016 Class B state championship.

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

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE MONTOU CET
A CONCURRENT RESOLUTION

To designate January thirty-first of each year as Omphalocoele Awareness Day in Louisiana and to commend the Mothers of Omphalocoeles for their advocacy efforts.

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

HOUSE CONCURRENT RESOLUTION NO. 20—
BY REPRESENTATIVE LEGER
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Gerard "Jerry" Christopher Amato, chef and co-owner of Mother's Restaurant in New Orleans.

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
RETIREMENT**

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

March 21, 2016

To the President and Members of the Senate:

March 21, 2016

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

SENATE BILL NO. 3—
BY SENATOR PEACOCK

AN ACT

To amend and reenact the introductory paragraph of R.S. 11:2252, 2252(4), 2256(A), and 2257(K)(3)(a) and (b), relative to the Firefighters' Retirement System; to provide for definitions; to provide for eligibility, benefits, and accrual rates; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 4—
BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:703, relative to the timing of board of trustees meetings at Teachers' Retirement System of Louisiana; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 6—
BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:1149, relative to the Louisiana School Employees' Retirement System; to provide relative to contributions of members out of service for five years; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 7—
BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:1137, relative to the Louisiana School Employees' Retirement System; to provide relative to requirements for certain purchases of service credit; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 12—
BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:1345.7(B), to enact R.S. 11:1313(D) and 1345.7(D), and to repeal R.S. 11:211, relative to disability benefits for the Louisiana State Police Retirement System; to provide for technical changes; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 13—
BY SENATOR PEACOCK

AN ACT

To amend and reenact R.S. 11:1821(B), relative to the Municipal Employees' Retirement System; to provide relative to the voting power of the board of trustees; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
BARROW PEACOCK
Chairman

Rules Suspended

Senator Appel asked for and obtained a suspension of the rules to revert to:

**Introduction of Senate Bills
and Joint Resolutions**

SENATE BILL NO. 363—
BY SENATOR APPEL

AN ACT

To amend and reenact R.S. 13:994(A), relative to the judicial expense fund for the Twenty-fourth Judicial District; to increase certain fees and costs; and to provide for related matters.

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

SENATE BILL NO. 364—
BY SENATOR PETERSON

AN ACT

To enact R.S. 40:600.91(F), relative to the Louisiana Housing Corporation; to provide for the powers and duties of the corporation; to provide relative to the Choice Neighborhood Revitalization project; and to provide for related matters.

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

SENATE BILL NO. 365—
BY SENATOR MIZELL

AN ACT

To enact R.S. 33:2541.5, relative to the city of Bogalusa; to provide relative to the municipal fire and police civil service; to provide that the position of chief of police for the city of Bogalusa shall be in the unclassified service; to provide authority for selection, appointment, supervision, and discharge of such position; and to provide for related matters.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 22—
BY SENATOR BARROW

A RESOLUTION

To commend ExxonMobil and recognize Monday, March 21, 2016, as ExxonMobil Day at the Louisiana State Capitol.

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

SENATE RESOLUTION NO. 23—
BY SENATOR BARROW

A RESOLUTION

To commend and congratulate the Atlas Foundation upon the occasion of its 13th Annual Friendship and Dialogue Dinner & Award Ceremony.

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

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR ERDEY AND REPRESENTATIVE MACK

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Anthony Sziiber.

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

SENATE CONCURRENT RESOLUTION NO. 19—
BY SENATOR ERDEY AND REPRESENTATIVE MACK
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of John Stephen Szanyi Sr.

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

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR ERDEY
A CONCURRENT RESOLUTION

To express the intent of the Legislature of Louisiana that the Department of Public Safety and Corrections, public safety services, and the office of motor vehicles enforce laws that regulate glass tinting on motor vehicles and particularly on private passenger vehicles.

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

SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To commend outstanding educator, Sandra McCalla, EdD, of Shreveport, Louisiana, for her many contributions made on behalf of public education and to congratulate Dr. McCalla upon her well-deserved retirement after fifty-five years in the education profession.

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

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of United States District Court Judge Thomas Eaton Stagg Jr.

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

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To commend and congratulate Nicole Vasquez on being selected as the 2016 Louisiana High School Teacher of the Year.

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

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To commend and congratulate Sharon L. Dunn, PT, PhD, OCS, for her many activities and accomplishments involving physical therapy.

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of businesswoman and former Louisiana State Senator, the Honorable Virginia Ruth Kilpatrick Shehee, and to commend the legacy of public service she leaves to the people of her community, state, and nation.

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

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATOR PEACOCK
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Shreveport Police Officer Thomas LaValley.

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

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATORS PEACOCK AND TARVER
A CONCURRENT RESOLUTION

To commend Dr. John H. Haynes Jr. on his retirement.

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

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

ENROLLMENTS

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

March 21, 2016

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATOR JOHNS AND REPRESENTATIVE DWIGHT
A CONCURRENT RESOLUTION

To commend Alexis Bauer upon being chosen as a recipient of the 2016 Young Heroes Award.

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATOR JOHNS AND REPRESENTATIVE DANAHAY
A CONCURRENT RESOLUTION

To commend Dylan Alvarez upon being chosen as a recipient of the 2016 Young Heroes Award.

Respectfully submitted,
KAREN CARTER PETERSON
Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

March 16, 2016

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 Resolution:

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVE BARRAS
A CONCURRENT RESOLUTION

To invite Chief Justice Bernette Joshua Johnson of the Louisiana Supreme Court to address a joint session of the legislature.

March 21, 2016

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

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

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Perry
Barrow	Johns	Peterson
Bishop	LaFleur	Riser
Boudreaux	Lambert	Smith, G.
Brown	Long	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	Ward
Cortez	Mizell	White
Erdey	Morrell	
Total - 38		

ABSENT

Donahue
Total - 1

Leave of Absence

The following leave of absence was asked for and granted:

Donahue 1 Day

Announcements

The following committee meetings for March 22, 2016, were announced:

Education	2:00 P.M.	Hainkel Room
Health and Welfare	9:00 A.M.	Hainkel Room
Insurance	9:30 A.M.	Room A
Senate and Gov't Affairs	10:00 A.M.	Room F
Transportation	1:00 P.M.	Room E

Adjournment

On motion of Senator Thompson, at 5:40 o'clock P.M. the Senate adjourned until Tuesday, March 22, 2016, at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk