

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

SEVENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, June 10, 2020

The House of Representatives was called to order at 1:02 P.M., by the Honorable Tanner Magee, Speaker Pro Tempore of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Freeman	McFarland
Adams	Freiberg	McKnight
Amedee	Frieman	McMahan
Bacala	Gadberry	Miguez
Bagley	Gaines	Miller, D.
Beaullieu	Garofalo	Miller, G.
Bishop	Goudeau	Mincey
Bourriague	Green	Moore
Brass	Harris	Muscarello
Brown	Henry	Nelson
Bryant	Hilferty	Newell
Butler	Hollis	Owen, C.
Carpenter	Horton	Owen, R.
Carrier	Hughes	Phelps
Carter, G.	Huval	Pierre
Carter, R.	Illg	Pressly
Carter, W.	Ivey	Riser
Cormier	James	Romero
Coussan	Jefferson	Schamerhorn
Cox	Jenkins	Seabaugh
Crews	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	LaCombe	Thomas
Dwight	Landry	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	Wheat
Emerson	Magee	White
Famum	Marcelle	Willard
Firment	Marino	Wright

Fontenot McCormick Zeringue
Total - 102

The Speaker Pro Tempore announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Jenkins.

Pledge of Allegiance

Rep. Pressly led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Pressly, the reading of the Journal was dispensed with.

On motion of Rep. Pressly, the Journal of June 9, 2020, was adopted.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 16—
BY REPRESENTATIVE VILLIO

A RESOLUTION

To authorize and direct the Louisiana Department of Health to compile certain data that will indicate the programmatic and fiscal impact of implementing a Medicaid managed long-term supports and services system and report its findings to the House of Representatives of the Legislature of Louisiana.

Read by title.

Lies over under the rules.

HOUSE RESOLUTION NO. 17—
BY REPRESENTATIVE ROMERO

A RESOLUTION

To commend Erick Lawrence on achieving the rank of Eagle Scout.

Read by title.

On motion of Rep. Romero, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVE WILLARD

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Health to implement certain policies to protect the health and safety of long-term care facility residents and to establish and administer a statewide long-term care emergency response task force.

Read by title.

Lies over under the rules.

**Introduction of House Bills
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE BILL NO. 62—
BY REPRESENTATIVE ZERINGUE
AN ACT

To enact R.S. 23:1693(J), relative to unemployment compensation; to provide for federal disaster unemployment assistance; to provide for weekly benefit amounts; to require state income tax withholdings under certain circumstances; to provide for the promulgation of rules; and to provide for related matters.

Read by title.

HOUSE BILL NO. 63—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 14:98.1(A)(2) and (3)(b) and 98.2(A)(2) and (3)(b), R.S. 15:307(Section heading), (A), (C), (D), and (E), R.S. 32:378.2(A), (B)(1)(a)(ii), (aa), and (bb), 414(A)(1)(c), (i), (ii), and (D)(1)(b), 667(A)(introductory paragraph), (B)(1)(b), and (c), (3), (H)(3), and (I)(1), and 668(B)(1)(a)(introductory paragraph) and (i), and (c), and (2), and to enact R.S. 15:307(B)(3), (F), (G), and (H), 307.1, 307.2, and R.S. 32:667(K), relative to ignition interlock devices; to provide for the calibration of ignition interlock devices; to provide standards for compliance with ignition interlock devices; to change references to criminal offenses for driving while intoxicated; to provide for a change in time periods that a driver is required to have an ignition interlock device; to provide relative to restricted driver's licenses; to provide for the addition of cameras to ignition interlock devices; to provide for an extension of time that a driver is required to have an ignition interlock device upon notice of a violation reset; to provide relative to first and second offense penalties for operating a vehicle while intoxicated; and to provide for related matters.

Read by title.

HOUSE BILL NO. 64—
BY REPRESENTATIVE STEFANSKI
AN ACT

To amend and reenact R.S. 27:302(8) and (9) and to enact R.S. 27:302(10) and 316, relative to taxation of fantasy sports contests; to levy a state tax on certain fantasy sports contests; to provide for the disposition of the avails of certain taxes; to provide for definitions; to provide for certain requirements and limitations; and to provide for related matters.

Read by title.

**House and House Concurrent Resolutions
Lying Over**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVE GAROFALO
A CONCURRENT RESOLUTION

To authorize and direct the Board of Regents and the Louisiana Workforce Commission to cooperatively study and report on resources available and innovative ways to coordinate and rapidly deploy opportunities for retraining and developing new skills for Louisiana workers who are unemployed because of the COVID-19 crisis.

Read by title.

Under the rules, the above resolution was referred to the Committee on Education.

**House Bills and Joint Resolutions on
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 58—
BY REPRESENTATIVE FIRMENT
AN ACT

To enact R.S. 9:2800.27, relative to the limitation of liability; to provide for the limitation of liability during the COVID-19 public health emergency; to provide for the liability of certain nonprofit organizations and religious institutions; to provide for the rights of employees; to provide for liability related to business operations; to provide for liability related to events; to provide for claims pursuant to the Louisiana Workers' Compensation Law; to provide for retroactive application; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Turner, the bill was returned to the calendar.

HOUSE BILL NO. 59—
BY REPRESENTATIVE MINCEY
AN ACT

To enact R.S. 17:439.1, relative to limitations of liability; to provide for the limitation of liability during declared states of emergency or public health emergencies; to provide relative to the liability of public schools and public school districts under certain circumstances; to provide for liability related to school sponsored events; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Turner, the bill was returned to the calendar.

HOUSE BILL NO. 60—
BY REPRESENTATIVE MCFARLAND
AN ACT

To amend and reenact R.S. 22:1269(B)(2), Code of Civil Procedure Article 1732, and Code of Evidence Article 411, to enact R.S. 9:2800.25, and to repeal R.S. 32:295.1(E), relative to liability; to provide relative to civil liability and to motor vehicle liability coverage; to provide relative to awarding medical expenses reduced or paid by a collateral source; to provide relative to collateral source, jury trials, and jury trial thresholds under certain circumstances; to provide relative to the right of direct action against an insurer; to provide relative to the admissibility of certain evidence; to require certain annual rate filings with the commissioner of insurance; to provide for a rate reduction under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 61—
BY REPRESENTATIVE FRIEMAN
AN ACT

To amend and reenact R.S. 22:1875 and to enact R.S. 22:1872(24), relative to billing by noncontracted facility-based physicians; to define surprise billing; to prohibit surprise billing; to provide for billing by noncontracted facility-based providers; to provide for applicability; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

House and House Concurrent Resolutions Reported by Committee

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE SEABAUGH

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana R.S. 9:2800.25(C) and (D) as enacted by the Act that originated as Senate Bill 418 of the 2020 Regular Session of the Legislature of Louisiana relative to the award of health insurance premiums as damages and evidence of premiums paid.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Gregory Miller, the resolution was ordered engrossed and passed to its third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

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; 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.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Gregory Miller, the bill was ordered engrossed and passed to its third reading.

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.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 6 by Representative Ivey

AMENDMENT NO. 1

On page 1, at the beginning of line 6, before "provide for" insert "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"

AMENDMENT NO. 2

On page 1, line 17, change "thirty-five hundredths" to "one hundredth"

AMENDMENT NO. 3

On page 2, delete lines 9 through 15 in their entirety and insert in lieu thereof:

"C.(1) Monies in the fund may only be expended on projects approved by the Joint Legislative Committee on Technology and Cybersecurity, or its successor.

(2) No later than October 1, 2022, and October first each year thereafter, the office of technology services shall provide a proposed list of projects for the coming fiscal year to the Joint Legislative Committee on Technology and Cybersecurity.

(3) The committee shall hold public meetings for the purpose of reviewing priorities for the coming fiscal year.

(4) At each public meeting, the office of technology services shall provide the committee with the following details on each proposed project:

(a) The total projected cost.

(b) Whether federal funds are available to help fund all or a portion of the project.

(c) The projected time line for completion.

(5) No later than January first of each year, the committee shall submit a list of recommended projects to the speaker of the House of Representatives, the president of the Senate, the chairman of the House Committee on Appropriations and the chairman of the Senate Committee on Finance.

(6) The Joint Legislative Committee on the Budget shall meet no later than January thirty-first of each year to approve the Joint Legislative Committee on Technology and Cybersecurity's project recommendations and allocate monies from the fund for the approved projects. Approval shall require a majority vote of the Joint Legislative Committee on the Budget. Prior to approval, the Joint Legislative Committee on the Budget may delete projects from the recommendation list. In no event shall it add any projects to the list, nor shall it make substitutions for projects which have been removed without approval from the Joint Legislative Committee on Technology and Cybersecurity."

On motion of Rep. Zeringue, the amendments were adopted.

On motion of Rep. Zeringue, the bill, as amended, was ordered engrossed and passed to its third reading.

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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.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 15 by Representative Ivey

AMENDMENT NO. 1

On page 2, delete lines 16 through 18 in their entirety and insert in lieu thereof "fiscal year shall remain in the fund."

AMENDMENT NO. 2

On page 2, at the end of line 22, change "2020." to "2021."

On motion of Rep. Zeringue, the amendments were adopted.

On motion of Rep. Zeringue, the bill, as amended, was ordered engrossed and passed to its third reading.

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.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 27 by Representative Zeringue

AMENDMENT NO. 1

On page 1, line 11, after "special" and before "fund", insert "custodial"

AMENDMENT NO. 2

On page 1, line 13, after the period "." delete the remainder of the line in its entirety, and delete line 14 in its entirety, and insert in lieu thereof: "All"

AMENDMENT NO. 3

On page 1, line 19, after "board." Insert "The chairman shall join with the secretary-treasurer of the board in signing a warrant to have the net deposits paid to the board."

AMENDMENT NO. 4

On page 3, delete lines 19 and 20 in their entirety and insert:

"Section 6. (A) The provisions of this Section and Sections 1 and 2 of this Act shall become effective July 1, 2020.

(B) The provisions of Sections 3, 4, and 5 of this Act shall become effective January 1, 2021."

On motion of Rep. Zeringue, the amendments were adopted.

On motion of Rep. Zeringue, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 34—

BY REPRESENTATIVE ECHOLS

AN ACT

To enact Subpart M 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. 39:100.41, relative to the disbursement of monies received from opioid settlements; to establish the Louisiana Opioid Settlement Fund; to provide for administration of the fund; to provide for specific uses of the fund; to provide for reporting requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 34 by Representative Echols

AMENDMENT NO. 1

On page 1, line 3, after "39:100.41" and before the comma "," delete "through 100.43"

AMENDMENT NO. 2

On page 1, line 10, after "39:100.41" and before the comma "," delete "through 100.43"

AMENDMENT NO. 3

On page 1, delete lines 16 through 19 in their entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 1, change "C." to "B."

AMENDMENT NO. 5

On page 2, at the beginning of line 9, change "D." to "C."

AMENDMENT NO. 6

On page 2, delete lines 13 through 29 in their entirety, delete page 3 in its entirety, and on page 4, delete lines 1 through 17 in their entirety and insert the following:

"D. The monies in the fund shall be used exclusively for the following purposes:

(1) Improving access to medications proven to prevent or reverse an overdose.

(2) Supporting behavioral health services providers and referral to treatment services for hospitals, correctional facilities, and other high-risk populations.

(3) Increasing access to medications that support recovery from substance abuse disorders.

(4) Expanding access to crisis identification and stabilization services and residential treatment services.

(5) Expanding and establishing safe stations, mobile crisis response systems, and crisis stabilization centers.

(6) Organizing primary and secondary school education campaigns to prevent opioid use, including for administrative expenses.

(7) Enforcing the laws regarding opioid prescriptions and sales, including for administrative expenses.

(8) Research and training for substance use treatment and overdose prevention, including for administrative expenses.

(9) Supporting and expanding evidence-based interventions for substance abuse treatment and overdose prevention.

E. The fund is in addition to any monies appropriated to any agency and is not intended to take the place of funding that otherwise would be appropriated for the programs or services.

F. Except as specified in Subsection D of this Section, money expended from the fund may not be used for administrative expenses.

G. The governor, in consultation with the attorney general and legislature, shall develop a plan for the allocation of monies in the fund in accordance with Subsection D of this Section. The governor shall submit the plan and the proposed budget to the Joint Legislative Committee on the Budget for approval no later than January 1, 2021."

On motion of Rep. Zeringue, the amendments were adopted.

On motion of Rep. Zeringue, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 40—

BY REPRESENTATIVE IVEY

A JOINT RESOLUTION

Proposing to add Article VII, Section 9.1 of the Constitution of Louisiana, to create a category of dedicated funds in the state treasury and require the enactment of a law by two-thirds of the elected members of each house of the legislature to create or modify any fund designated as a protected fund; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 42—

BY REPRESENTATIVE GREGORY MILLER

AN ACT

To amend and reenact Civil Code Articles 3492 and 3493.10, Code of Civil Procedure Articles 1732 and 1732(1), and R.S. 22:1269(B), to enact R.S. 9:2800.27 and R.S. 22:1892.2, and to repeal R.S. 32:295.1(E), relative to liability; to provide relative

to civil liability and to motor vehicle liability coverage; to extend the general prescriptive period for delictual actions involving motor vehicle accidents; to prohibit the court from awarding a plaintiff the amount of medical expenses reduced or paid by a collateral source; to provide relative to collateral source, prescription, jury trials, and jury trial thresholds under certain circumstances; to provide relative to the right of direct action against an insurer; to require disclosure of policy limits to certain persons; to provide for procedure for disclosure; to provide for confidentiality; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; to require certain annual rate filings with the commissioner of insurance; to provide for a mandatory rate reduction under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 42 by Representative Gregory Miller

AMENDMENT NO. 1

On page 4, at the beginning of line 16, delete "§9:2800.27" and insert "§2800.27."

AMENDMENT NO. 2

On page 5, delete line 28 in its entirety and insert the following:

"informed only of the total of the amount actually paid by the health insurance issuer and any cost sharing amounts which have been paid or owed by the claimant or other payor for the claimant's"

AMENDMENT NO. 3

On page 7, delete lines 18 through 22 in their entirety and at the beginning of line 23, delete "not include the name of the insurer." and insert the following:

"shall exist whether or not the policy of insurance sued upon was written or delivered in the state of Louisiana and whether or not such policy contains a provision forbidding such direct action, provided the accident or injury occurred within the state of Louisiana."

AMENDMENT NO. 4

On page 7, delete lines 26 through 29 in their entirety and insert the following:

"(3) The right of direct action may be brought against the insurer alone in the parish in which the accident or injury occurred or in the parish in which an action could be brought against either the insured or the insurer under the general rules of venue prescribed by Code of Civil Procedure Article 42 only. The caption of any suit brought pursuant to the provisions of this Subsection shall not include the name of the insurer."

AMENDMENT NO. 5

On page 8, between lines 8 and 9, insert the following:

"(5) Evidence of the existence of applicable liability insurance coverage shall be admissible in an action brought against the insured

or the insurer. However, the name of the insurer and the limits of the applicable insurance policy shall not be admissible."

On motion of Rep. Gregory Miller, the amendments were adopted.

On motion of Rep. Gregory Miller, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 43—
BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1), R.S. 9:2800.25(C), and R.S. 22:1269(B)(1), to enact Code of Civil Procedure Article 1732.1, and to repeal R.S. 9:2800.25(D), relative to suits for delictual and quasi delictual actions; to provide for jury trials; to lower the jury trial threshold for certain actions; to provide for the number of jurors for certain actions; to provide for rendering a verdict; to repeal provisions relative to recovery of premiums paid; to provide for the recovery of medical expenses when paid pursuant to the Louisiana Workers' Compensation Law; to provide relative to the right of direct action against an insurer; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 43 by Representative Garofalo

AMENDMENT NO. 1

On page 2, at the end of line 10, delete the semicolon ";" and delete "evidence"

On motion of Rep. Gregory Miller, the amendments were adopted.

On motion of Rep. Gregory Miller, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 44—
BY REPRESENTATIVE GAROFALO
AN ACT

To amend and reenact Civil Code Articles 3492 and 3493.10, Code of Civil Procedure Article 1732 and R.S. 22:1269(B), to enact Code of Civil Procedure Article 1732.1 and R.S. 9:2800.27, and to repeal R.S. 32:295.1(E), relative to liability; to provide relative to civil liability and to motor vehicle liability coverage; to extend the general prescriptive period for delictual actions involving motor vehicle accidents; to prohibit the court from awarding a plaintiff the amount of medical expenses reduced or paid by a collateral source; to provide relative to collateral source, prescription, jury trials, and jury trial thresholds under certain circumstances; to provide relative to the right of direct action against an insurer; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; to require certain annual rate filings with the commissioner of insurance; to provide for a rate reduction under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 44 by Representative Garofalo

AMENDMENT NO. 1

On page 4, at the end of line 15, delete the semicolon ";" and delete "evidence"

On motion of Rep. Gregory Miller, the amendments were adopted.

On motion of Rep. Gregory Miller, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 57—
BY REPRESENTATIVE SCHEXNAYDER
AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1) and 4872 and Code of Evidence Article 409, to enact Code of Civil Procedure Article 4873.1, and to repeal R.S. 32:295.1(E), relative to civil actions; to lower the jury trial threshold; to limit the transfer of cases from courts of limited jurisdiction to district courts; to authorize the admissibility of evidence of medical expenses paid under certain circumstances; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 57 by Representative Schexnayder

AMENDMENT NO. 1

On page 2, at the end of line 24, change "Articles 1773" to "Articles 1733"

On motion of Rep. Gregory Miller, the amendments were adopted.

On motion of Rep. Gregory Miller, the bill, as amended, was ordered engrossed and passed to its third reading.

Suspension of the Rules

On motion of Rep. Zeringue, the rules were suspended in order to take up and consider Special Order of the Day at this time.

Special Order of the Day

The following legislative instruments on Special Order were taken up and acted upon as follows:

SPECIAL ORDER NO. 1

HOUSE BILL NO. 1—BY REPRESENTATIVE ZERINGUE
AN ACT

Making annual appropriations for Fiscal Year 2020-2021 for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Rep. Zeringue sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Zeringue to Engrossed House Bill No. 1 by Representative Zeringue

AMENDMENT NO. 1

On page 19, at the end of line 34, change "618,829,688" to "618,129,688"

AMENDMENT NO. 2

On page 21, at the end of line 43, change "250,000" to "7,350,315"

AMENDMENT NO. 3

On page 21, delete lines 44 through 46 in their entirety and on page 22, delete lines 1 through 9 in their entirety

AMENDMENT NO. 4

On page 22, line 11, after "Board," and before "percent" delete "eighty" and insert "seventy"

AMENDMENT NO. 5

On page 30, at the end of line 35, change "69,175,869" to "69,050,040"

AMENDMENT NO. 6

On page 31, at the end of line 8, change "2,810,973" to "2,936,802"

AMENDMENT NO. 7

On page 32, at the end of line 40, change "17,503,784" to "18,103,784"

AMENDMENT NO. 8

On page 33, at the end of line 18, change "76,292,539" to "76,892,539"

AMENDMENT NO. 9

On page 33, at the end of line 34, change "4,171,814" to "4,471,814"

AMENDMENT NO. 10

On page 33, at the end of line 46, change "8,160,746" to "8,460,746"

AMENDMENT NO. 11

On page 33, at the end of line 47, change "76,292,539" to "76,892,539"

AMENDMENT NO. 12

On page 43, delete lines 37 through 46 in their entirety and insert in lieu thereof:

"Payable out of the State General Fund (Direct) to the Louisiana Seafood Promotion & Marketing Board Program for operating expenses	\$	300,000"
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AMENDMENT NO. 13

On page 45, delete lines 40 through 47 in their entirety and insert in lieu thereof:

"Payable out of the State General Fund (Direct) to the Parks and Recreation Program for operating expenses	\$	100,000"
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AMENDMENT NO. 14

On page 47, delete lines 39 through 46 in their entirety and insert in lieu thereof:

"Payable out of the State General Fund (Direct) to the Marketing Program for operating expenses	\$	100,000"
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AMENDMENT NO. 15

On page 71, delete lines 4 through 17 in their entirety and insert the following:

"Provided, however, that from the monies appropriated herein and subject to approval by the Centers for Medicare and Medicaid Services, intermediate care facilities for individuals with developmental disabilities that downsized prior to December 31, 2010, without the benefit of a Cooperative Endeavor Agreement (CEA), from over 100 beds to less than 35 beds shall receive the same percent base rate increase that took effect July 1, 2019, applied to the facilities' specific base rates in effect on June 30, 2019, and shall be applied to each future rebase period. This shall apply to dates of service on or after July 1, 2020, or the earliest attainable through administrative rulemaking and the State Plan Amendment. This differential shall not extend beyond December 31, 2024.

Provided, however, that on or after January 1, 2021, the Louisiana Department of Health shall make no payments pursuant to any Medicaid managed care organization contract unless the contract meets all of the following criteria: (1) the contract requires utilization of a transportation broker with a Louisiana-based call center and (2) the requirement to use the call center is effective no later than January 1, 2022.

Provided, further, that on or after January 1, 2021, the Louisiana Department of Health shall make no payments pursuant to any Medicaid managed care organization contract unless the contract meets all of the following criteria: (1) the contract prohibits use of out-of-region nonemergency, non-ambulance medical transportation providers if there is a willing and available nonemergency, non-ambulance medical transportation provider in the region where the utilizing Medicaid enrollee is domiciled and (2) such prohibition is effective no later than January 1, 2022."

AMENDMENT NO. 16

On page 78, line 22, change "15,121,283" to "17,721,598"

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AMENDMENT NO. 17

On page 106, at the end of line 7, change "2020 Regular Session" to "2020 First Extraordinary Session"

AMENDMENT NO. 18

On page 109, delete lines 45 through 49 in their entirety

AMENDMENT NO. 19

On page 142, delete lines 11 and 12 in their entirety and insert in lieu thereof: "Provided, however, of the monies appropriated herein out of the Jefferson Parish Convention Center Fund,"

AMENDMENT NO. 20

On page 142, line 29, after "fully fund" delete the remainder of the line in its entirety and insert in lieu thereof: "all allocations from the fund provided for in R.S. 47:322.34 and 332.1 as well as the allocations from the fund provided for in this Act, each entity shall receive the same"

AMENDMENT NO. 21

On page 142, between lines 34 and 35, insert the following:

"Provided, however, that from the funds appropriated herein out of the Richland Parish Visitor Enterprise Fund, \$25,000 shall be allocated and distributed to the town of Delhi of which amount \$5,000 shall be allocated to the Delhi Municipal Golf Course and the remainder shall be allocated for the Cave Theater, \$10,000 shall be allocated and distributed to the town of Mangham for downtown development, and \$25,000 shall be allocated and distributed to the town of Rayville for downtown development. In the event that total revenues deposited in this fund are insufficient to fully fund such allocations, each entity shall receive the same pro rata share of the monies available which its allocation represents to the total."

AMENDMENT NO. 22

On page 150, at the end of line 17, change "20,309,542" to "22,960,134"

AMENDMENT NO. 23

On page 150, at the end of line 24, change "0" to "100,000"

AMENDMENT NO. 24

On page 150, at the end of line 28, change "0" to "100,000"

AMENDMENT NO. 25

On page 150, at the end of line 29, change "0" to "850,277"

AMENDMENT NO. 26

On page 150, at the end of line 37, change "0" to "1,600,315"

AMENDMENT NO. 27

On page 150, at the end of line 46, change "20,309,542" to "22,960,134"

AMENDMENT NO. 28

On page 151, at the end of line 8, change "0" to "100,000"

AMENDMENT NO. 29

On page 151, at the end of line 10, change "0" to "1,600,315"

AMENDMENT NO. 30

On page 151, at the end of line 13, change "0" to "100,000"

AMENDMENT NO. 31

On page 151, at the end of line 16, change "0" to "850,277"

AMENDMENT NO. 32

On page 151, at the end of line 28, change "20,309,542" to "22,960,134"

AMENDMENT NO. 33

Delete page 152 in its entirety and on page 153, delete lines 1 through 4 and insert in lieu thereof:

"Payable out of the State General Fund (Direct) to the Terrebonne Churches United Food Bank	\$	200,000
Payable out of the State General Fund (Direct) to the MidCity Baptist Community Fellowship	\$	250,000
Payable out of the State General Fund (Direct) to the Algiers Economic Development Foundation	\$	150,000
Payable out of the State General Fund (Direct) to the Richland Parish Council on Aging for the expansion of the Richland Parish Learning Center	\$	200,000
Payable out of the State General Fund (Direct) to the Town of Jean Lafitte for the Jean Lafitte Seafood Festival	\$	200,000"

On motion of Rep. Zeringue, the amendments were adopted.

Motion

On motion of Rep. Zeringue, the House resolved itself into a Committee of the Whole House to take into consideration House Bill No. 1.

Chairman Robert Carter in the Chair

House Business Resumed

Speaker Pro Tempore Magee in the Chair

The committee having risen, the chairman, Rep. Robert Carter, reported to the House that which the Committee of the Whole House had had under consideration:

HOUSE BILL NO. 1—

BY REPRESENTATIVE ZERINGUE

AN ACT

Making annual appropriations for Fiscal Year 2020-2021 for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Rep. Zeringue sent up committee amendments which were read as follows:

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Freeman in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative Zeringue

AMENDMENT NO. 1

On page 126, between lines 22 and 23, insert the following:

"Provided, however, that from the monies appropriated herein from the State General Fund (Direct), the amount of \$250,000 shall be allocated for the WYES-TV station for operating expenses and the amount of \$250,000 shall be allocated for the WLAE-TV station for operating expenses."

On motion of Rep. Zeringue, the amendments were adopted.

Speaker Schexnayder in the Chair

Rep. Zeringue moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freeman	McFarland
Adams	Freiberg	McKnight
Amedee	Frieman	McMahon
Bacala	Gadberry	Miguez
Bagley	Gaines	Miller, D.
Beaullieu	Garofalo	Miller, G.
Bishop	Goudeau	Mincey
Bourriaque	Green	Moore
Brass	Harris	Muscarello
Brown	Henry	Nelson
Bryant	Hilferty	Newell
Butler	Hollis	Owen, C.
Carpenter	Horton	Owen, R.
Carrier	Hughes	Phelps
Carter, G.	Huval	Pierre
Carter, R.	Illg	Pressly
Carter, W.	Ivey	Riser
Cormier	James	Romero
Coussan	Jefferson	Schamerhorn
Cox	Jenkins	Seabaugh
Crews	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	LaCombe	Thomas
Dwight	Landry	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	White
Emerson	Magee	White
Farnum	Marcelle	Willard
Firment	Marino	Wright
Fontenot	McCormick	Zeringue

Total - 102

NAYS

Total - 0

ABSENT

Glover Hodges

Total - 2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Zeringue moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SPECIAL ORDER NO. 2

HOUSE BILL NO. 12—
BY REPRESENTATIVE ZERINGUE
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds for Fiscal Year 2020-2021; and to regulate the administration of said funds.

Read by title.

Rep. Zeringue moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freiberg	McKnight
Adams	Frieman	McMahon
Amedee	Gadberry	Miguez
Bacala	Gaines	Miller, D.
Bagley	Garofalo	Miller, G.
Beaullieu	Goudeau	Mincey
Bishop	Green	Moore
Bourriaque	Harris	Muscarello
Brass	Henry	Nelson
Brown	Hilferty	Newell
Bryant	Hollis	Owen, C.
Butler	Horton	Owen, R.
Carrier	Hughes	Phelps
Carter, G.	Huval	Pressly
Carter, R.	Illg	Riser
Carter, W.	Ivey	Romero
Cormier	James	Schamerhorn
Coussan	Jefferson	Seabaugh
Cox	Jenkins	Selders
Crews	Johnson, M.	St. Blanc
Davis	Johnson, T.	Stagni
Deshotel	Jones	Stefanski
DeVillier	Jordan	Tarver
DuBuisson	Kerner	Thomas
Duplessis	LaCombe	Thompson
Dwight	Landry	Turner
Echols	Larvadain	Villio
Edmonds	Lyons	White
Edmonston	Mack	White
Emerson	Magee	Willard
Farnum	Marcelle	Wright
Firment	Marino	Zeringue
Fontenot	McCormick	
Freeman	McFarland	

Total - 100

NAYS

Total - 0

ABSENT

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Carpenter
Glover
Total - 4

Hodges
Pierre

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

Rep. Zeringue moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SPECIAL ORDER NO. 3

HOUSE BILL NO. 7—

BY REPRESENTATIVES ZERINGUE AND SCHEXNAYDER AND SENATORS CORTEZ AND WHITE AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; to provide for an effective date; and to provide for related matters.

Read by title.
Rep. Zeringue moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Frieman McMahan
Adams Gadberry Miguez
Amedee Gaines Miller, D.
Bacala Garofalo Miller, G.
Bagley Goudeau Mincey
Beaullieu Green Moore
Bishop Harris Muscarello
Bourriaque Henry Nelson
Brass Hilferty Newell
Brown Hollis Owen, C.
Bryant Horton Owen, R.
Butler Hughes Phelps
Carter, G. Huval Pressly
Carter, R. Illg Riser
Carter, W. Ivey Romero
Cormier James Schamerhorn
Coussan Jefferson Seabaugh
Crews Jenkins Selders
Davis Johnson, T. St. Blanc
Deshotel Jones Stagni
DeVillier Jordan Stefanski
DuBuisson Kerner Tarver
Duplessis LaCombe Thomas
Dwight Landry Thompson
Echols Larvadain Turner
Edmonds Lyons Villio
Edmonston Mack Wheat
Emerson Magee White
Farnum Marcelle Willard
Firmont Marino Wright
Fontenot McCormick Zeringue
Freeman McFarland
Freiberg McKnight
Total - 97

NAYS

Total - 0

ABSENT

Carpenter Glover Pierre
Carrier Hodges
Cox Johnson, M.
Total - 7

The Chair declared the above bill was finally passed.
The title of the above bill was read and adopted.

Rep. Zeringue moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SPECIAL ORDER NO. 4

HOUSE BILL NO. 8—

BY REPRESENTATIVE SCHEXNAYDER AN ACT

To appropriate funds for Fiscal Year 2020-2021 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide for the salary, expenses, and allowances of members, officers, staff, and agencies of the legislature; to provide with respect to the appropriations and allocations herein made; and to provide for related matters.

Read by title.
Rep. Zeringue moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Freeman McFarland
Adams Freiberg McKnight
Amedee Frieman McMahan
Bacala Gadberry Miguez
Bagley Gaines Miller, D.
Beaullieu Garofalo Miller, G.
Bishop Goudeau Mincey
Bourriaque Green Moore
Brass Harris Muscarello
Brown Henry Nelson
Bryant Hilferty Newell
Butler Hollis Owen, C.
Carpenter Horton Owen, R.
Carrier Hughes Phelps
Carter, G. Huval Pierre
Carter, R. Illg Pressly
Carter, W. Ivey Riser
Cormier James Romero
Coussan Jefferson Schamerhorn
Cox Jenkins Seabaugh
Crews Johnson, M. Selders
Davis Johnson, T. St. Blanc
Deshotel Jones Stagni
DeVillier Jordan Stefanski
DuBuisson Kerner Tarver
Duplessis LaCombe Thomas
Dwight Landry Thompson
Echols Larvadain Turner
Edmonds Lyons Villio
Edmonston Mack Wheat
Emerson Magee White
Farnum Marcelle Willard
Firmont Marino Wright
Fontenot McCormick Zeringue
Total - 102

NAYS

Total - 0

ABSENT

Glover
Total - 2

Hodges

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Zeringue moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SPECIAL ORDER NO. 5

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE ZERINGUE
A CONCURRENT RESOLUTION

To authorize the Revenue Estimating Conference to incorporate certain monies available for appropriation from the Budget Stabilization Fund into the official forecast for Fiscal Year 2020-2021.

Read by title.

Rep. Zeringue moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freeman	McFarland
Adams	Freiberg	McKnight
Amedee	Frieman	McMahan
Bacala	Gadberry	Miguez
Bagley	Gaines	Miller, D.
Beaulieu	Garofalo	Miller, G.
Bishop	Goudeau	Mincey
Bourriaque	Green	Moore
Brass	Harris	Muscarello
Brown	Henry	Nelson
Bryant	Hilferty	Newell
Butler	Hollis	Owen, C.
Carpenter	Horton	Owen, R.
Carrier	Hughes	Phelps
Carter, G.	Huval	Pierre
Carter, R.	Illg	Pressly
Carter, W.	Ivey	Riser
Cormier	James	Romero
Coussan	Jefferson	Schamerhorn
Cox	Jenkins	Seabaugh
Crews	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	LaCombe	Thomas
Dwight	Landry	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	Wheat
Emerson	Magee	White
Farnum	Marcelle	Willard
Firment	Marino	Wright
Fontenot	McCormick	Zeringue

Total - 102

NAYS

Total - 0

ABSENT

Glover
Total - 2

Hodges

The resolution having received a two-thirds vote of the elected members was adopted.

Ordered to the Senate.

SPECIAL ORDER NO. 6

HOUSE BILL NO. 9—
BY REPRESENTATIVES ZERINGUE AND THOMPSON
AN ACT

To amend and reenact R.S. 39:100.43(C) and (D), 100.44(C), and 100.45(A), R.S. 47:463.167(E), and R.S. 56:644(B) and (C)(introductory paragraph), relative to certain treasury funds; to provide for the transfer, deposit, and use of monies in such funds; to restrict uses of certain funds; to provide for legislative intent with respect to prior Acts of the legislature; to provide for effectiveness; and to provide for related matters.

Read by title.

Rep. Zeringue sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Zeringue to Engrossed House Bill No. 9 by Representative Zeringue

AMENDMENT NO. 1

On page 3, at the end of line 9, delete "The treasurer" and delete line 10 in its entirety and at the beginning of line 11, delete "CARES Fund to the Relief Fund."

On motion of Rep. Zeringue, the amendments were adopted.

Rep. Zeringue moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freiberg	McMahan
Adams	Frieman	Miguez
Amedee	Gadberry	Miller, D.
Bacala	Gaines	Miller, G.
Bagley	Garofalo	Mincey
Beaulieu	Goudeau	Moore
Bishop	Green	Muscarello
Bourriaque	Harris	Nelson
Brass	Henry	Newell
Brown	Hilferty	Owen, C.
Bryant	Hollis	Owen, R.
Butler	Horton	Phelps
Carpenter	Hughes	Pierre
Carrier	Huval	Pressly
Carter, G.	Illg	Riser
Carter, R.	Ivey	Romero
Carter, W.	James	Schamerhorn
Cormier	Jefferson	Seabaugh
Coussan	Jenkins	Selders
Crews	Johnson, M.	St. Blanc
Davis	Johnson, T.	Stagni
Deshotel	Jones	Stefanski

DeVillier	Jordan	Tarver
DuBuisson	Kerner	Thomas
Duplessis	Landry	Thompson
Dwight	Larvadain	Turner
Echols	Lyons	Villio
Edmonds	Mack	Wheat
Edmonston	Magee	White
Emerson	Marcelle	Willard
Farnum	Marino	Wright
Firment	McCormick	Zeringue
Fontenot	McFarland	
Freeman	McKnight	

Total - 100

NAYS

Total - 0

ABSENT

Cox	Hodges
Glover	LaCombe

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Zeringue moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

SPECIAL ORDER NO. 7

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE SCHEXNAYDER
A CONCURRENT RESOLUTION

To provide for a hospital stabilization formula pursuant to Article VII, Section 10.13 of the Constitution of Louisiana; to establish the level and basis of hospital assessments; to establish certain reimbursement enhancements for inpatient and outpatient hospital services; to establish certain criteria for the implementation of the formula; and to provide for related matters.

Read by title.

Rep. Zeringue moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freeman	McFarland
Adams	Freiberg	McKnight
Amedee	Frieman	McMahen
Bacala	Gadberry	Miguez
Bagley	Gaines	Miller, D.
Beaullieu	Garofalo	Miller, G.
Bishop	Goudeau	Mincey
Bourriaque	Green	Moore
Brass	Harris	Muscarello
Brown	Henry	Nelson
Bryant	Hilferty	Newell
Butler	Hollis	Owen, C.
Carpenter	Horton	Owen, R.
Carrier	Hughes	Pierre
Carter, G.	Huval	Pressly
Carter, R.	Illg	Riser
Carter, W.	Ivey	Romero
Cormier	James	Schamerhorn
Coussan	Jefferson	Seabaugh

Crews	Jenkins	Selders
Davis	Johnson, M.	St. Blanc
Deshotel	Johnson, T.	Stagni
DeVillier	Jones	Stefanski
DuBuisson	Jordan	Tarver
Duplessis	Kerner	Thomas
Dwight	LaCombe	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	Wheat
Emerson	Magee	White
Farnum	Marcelle	Willard
Firment	Marino	Wright
Fontenot	McCormick	Zeringue

Total - 99

NAYS

Total - 0

ABSENT

Cox	Hodges	Phelps
Glover	Landry	

Total - 5

The resolution was adopted.

Ordered to the Senate.

SPECIAL ORDER NO. 8

HOUSE BILL NO. 29—
BY REPRESENTATIVES ZERINGUE AND THOMPSON
AN ACT

To appropriate funds and to make certain reductions from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2019-2020; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Zeringue sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Zeringue to Engrossed House Bill No. 29 by Representative Zeringue

AMENDMENT NO. 1

On page 1, between 15 and 16, insert the following:

"01-111 GOVERNOR'S OFFICE OF HOMELAND SECURITY AND EMERGENCY PREPAREDNESS

Payable out of Federal Funds to the Administrative Program from the coronavirus relief fund related to the COVID-19 pandemic \$ 700,000"

AMENDMENT NO. 2

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

"HIGHER EDUCATION

19-600 LOUISIANA STATE UNIVERSITY BOARD OF SUPERVISORS

Payable out of the State General Fund by Interagency Transfers from the Governor's Office of Homeland Security and Emergency Preparedness to the Pennington Biomedical Research Center for expenses related to COVID-19 \$ 700,000"

AMENDMENT NO. 3

On page 2, line 15, delete "\$6,277,152" and insert in lieu thereof "\$6,227,152"

On motion of Rep. Zeringue, the amendments were adopted.

Rep. Zeringue moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Frieman	Miguez
Adams	Gadberry	Miller, D.
Amedee	Garofalo	Miller, G.
Bacala	Goudeau	Mincey
Bagley	Green	Moore
Beaullieu	Harris	Muscarello
Bishop	Henry	Nelson
Bourriaque	Hilferty	Newell
Brass	Hollis	Owen, C.
Brown	Horton	Owen, R.
Butler	Hughes	Phelps
Carpenter	Huval	Pierre
Carrier	Illg	Pressly
Carter, G.	Ivey	Riser
Carter, R.	James	Romero
Carter, W.	Jefferson	Schamerhorn
Coussan	Jenkins	Seabaugh
Crews	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	LaCombe	Thomas
Dwight	Landry	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	Wheat
Emerson	Marcelle	White
Farnum	Marino	Willard
Firment	McCormick	Wright
Fontenot	McFarland	Zeringue
Freeman	McKnight	
Freiberg	McMahen	

Total - 97

NAYS

Total - 0

ABSENT

Bryant	Gaines	Magee
Cormier	Glover	
Cox	Hodges	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Zeringue moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Magee, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

Petitions, Memorials, and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

June 10, 2020

To the Honorable Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 9
Returned without amendments

Respectfully submitted,
YOLANDA J. DIXON
Secretary of the Senate

Message from the Senate

HOUSE BILLS

June 10, 2020

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 2
Returned with amendments

Respectfully submitted,
YOLANDA J. DIXON
Secretary of the Senate

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 10, 2020

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 4

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

**Senate Concurrent Resolutions
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR FOIL

A CONCURRENT RESOLUTION

To urge and request the Division of Administration, the Department of Economic Development, the Department of Insurance, the Department of Revenue, and the Department of Transportation and Development to study and make recommendations relative to the feasibility of establishing a funding mechanism for public-private partnership investment in Louisiana infrastructure projects, including the establishment of a public-private partnership investment tax credit program.

Read by title.

Lies over under the rules.

Suspension of the Rules

On motion of Rep. Magee, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SENATE BILLS

June 10, 2020

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 4 and 14

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

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

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 4—
BY SENATOR FOIL

AN ACT

To amend and reenact R.S. 47:6015(J), relative to the research and development tax credit; to extend the duration for eligibility for

the tax credit; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 14—
BY SENATORS MCMATH AND PEACOCK
AN ACT

To amend and reenact Section 4 of Act No. ___ of the 2020 Regular Session of the Louisiana Legislature, which originated as Senate Bill No. 418, relative to liability; to provide relative to civil liability; to provide relative to collateral sources and recoverable expenses; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Thompson, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 18—
BY REPRESENTATIVE THOMPSON
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Samuel P. Scurria, M.D.

Read by title.

On motion of Rep. Thompson, and under a suspension of the rules, the resolution was adopted.

**Introduction of House Bills
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE BILL NO. 65—
BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 23:76(C)(14), relative to workforce development; to provide for occupational forecasting; to require short-term COVID-19-related occupational projections; and to provide for related matters.

Read by title.

HOUSE BILL NO. 66—
BY REPRESENTATIVE NELSON
AN ACT

To amend and reenact the heading of Section 1 of Chapter 4 of Title XXIV of Book III of the Civil Code, the heading of Section 1-A of Chapter 4 of Title XXIV of Book III of the Civil Code, and Civil Code Article 3493.10, Code of Civil Procedure Articles 1732 and 1761(A), and Code of Evidence Article 411, to enact Civil Code Article 2323(D) and Section 1 of Chapter 4 of Title XXIV of Book III of the Civil Code, to be comprised of Civil Code Articles 3492 through 3493, Code of Civil Procedure Article 1733(D), R.S. 9:2800.27, and R.S. 22:1269(B)(3) and (4), and to repeal Civil Code Article 2323(D) and Section 1 of Chapter 4 of Title XXIV of Book III of the Civil Code, Code of Civil Procedure Article 1733(D), R.S. 9:2800.27, and R.S.

22:1269(B)(3) and (4), relative to civil actions; to provide for comparative fault and the recovery of damages; to extend the prescriptive period for delictual actions; to provide relative to jury trials; to eliminate the jury trial threshold; to provide for a six-person jury by default; to allow a party to request a twelve-person jury; to provide for establishing the right of direct action against an insurer; to provide for the admissibility of evidence of liability insurance; to prohibit the jury from receiving evidence of the insurance contract in certain circumstances; to provide for recoverable medical expenses; to provide for expenses paid by a collateral source; to provide for effectiveness; and to provide for related matters.

Read by title.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on
Ways and Means

June 10, 2020

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on June 9, 2020, I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 11, by Stefanski
Reported favorably. (13-1)

House Bill No. 13, by Wright
Reported favorably. (11-6)

House Bill No. 14, by Schexnayder (Joint Resolution)
Reported favorably. (16-0)

House Bill No. 17, by Bishop, S.
Reported favorably. (11-5)

House Bill No. 19, by Pressly
Reported favorably. (11-2)

House Bill No. 23, by Dwight (Joint Resolution)
Reported favorably. (13-0)

House Bill No. 28, by Dwight
Reported favorably. (11-3)

House Bill No. 35, by Bishop, S.
Reported favorably. (14-0)

House Bill No. 36, by Ivey (Joint Resolution)
Reported favorably. (14-1)

House Bill No. 37, by Harris, Lance
Reported with amendments. (14-0)

House Bill No. 41, by Ivey (Joint Resolution)
Reported with amendments. (8-6)

STUART J. BISHOP
Chairman

Report of the Committee on
House and Governmental Affairs

June 10, 2020

To the Speaker and Members of the House of Representatives:

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

House Resolution No. 8, by Jordan
Reported favorably. (11-0-1)

House Resolution No. 13, by James
Reported with amendments. (12-0-1)

House Concurrent Resolution No. 5, by Freeman
Reported favorably. (10-0-1)

House Concurrent Resolution No. 6, by Wright
Reported favorably. (10-0-1)

House Concurrent Resolution No. 8, by James
Reported favorably. (13-0-1)

STEPHEN C. DWIGHT
Chairman

Report of the Committee on
Natural Resources and Environment

June 10, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Natural Resources and Environment to submit the following report:

House Concurrent Resolution No. 11, by Fontenot
Reported favorably. (9-0)

JEAN-PAUL P. COUSSAN
Chairman

Suspension of the Rules

On motion of Rep. Stefanski, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Second Reading to be Referred at this time.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 64— BY REPRESENTATIVE STEFANSKI AN ACT

To amend and reenact R.S. 27:302(8) and (9) and to enact R.S. 27:302(10) and 316, relative to taxation of fantasy sports contests; to levy a state tax on certain fantasy sports contests; to provide for the disposition of the avails of certain taxes; to provide for definitions; to provide for certain requirements and limitations; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

Privileged Report of the Committee on Enrollment

June 10, 2020

To the honorable Speaker and Members of the House of Representatives:

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 11— BY REPRESENTATIVE SCHEXNAYDER A RESOLUTION To commend BHP for its contributions to the state of Louisiana during its response to the COVID-19 pandemic.

HOUSE RESOLUTION NO. 12— BY REPRESENTATIVE STAGNI A RESOLUTION To express the condolences of the House of Representatives upon the death, on March 17, 2020, of Amber Stevens.

HOUSE RESOLUTION NO. 14— BY REPRESENTATIVES ECHOLS AND THOMPSON A RESOLUTION To express condolences on the death, on Friday, June 5, 2020, of Julian Venoy Kinnaird.

HOUSE RESOLUTION NO. 15— BY REPRESENTATIVES DAVIS AND JAMES A RESOLUTION To recognize June 9, 2020, as Our Lady of the Lake Children's Hospital Day at the state capitol.

Respectfully submitted, STEPHANIE HILFERTY Chair

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Garofalo, the rules were suspended to permit the Committee on Education to meet on Thursday, June 11, 2020, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Concurrent Resolution Nos. 10 and 12

Suspension of the Rules

On motion of Rep. Bagley, the rules were suspended to permit the Committee on Health and Welfare to meet on Thursday, June 11, 2020, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Resolution No. 7

Suspension of the Rules

On motion of Rep. Bishop, the rules were suspended to permit the Committee on Ways and Means to meet on Thursday, June 11, 2020, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 16, 25, 50, 52, 54, and 64

Suspension of the Rules

On motion of Rep. Pierre, the rules were suspended to permit the Committee on Transportation, Highways and Public Works to meet on Thursday, June 11, 2020 upon adjournment of the House.

Adjournment

On motion of Rep. Thompson, at 6:03 P.M., the House agreed to adjourn until Thursday, June 11, 2020, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Thursday, June 11, 2020.

MICHELLE D. FONTENOT Clerk of the House

Committee Meeting Notices

The following committees posted notices as follows:

Committee on Education

Will meet at: 9:00 a.m.

Date: Thursday, June 11, 2020

Location: Committee Room 1

HR 1 LYONS EARLY CHILDHOOD Requests that the State Board of Elementary and Secondary Education coordinate data relative to the early childhood care and education network and submit an annual report relative thereto

HR 2 LYONS VOTING/REGISTRATION Requests that the governing authority of each public high school provide for an annual student voter registration drive

HCR 10 BAGLEY (TBA) SCHOOLS/BUS OPERATORS Requests governing authorities of public schools to continue operational pay for school bus operators during emergencies (Subject to Rule Suspension)

HCR 12 GAROFALO (TBA) WORKFORCE DEVELOPMENT Directs the Louisiana Workforce Commission and the Board of Regents to study and submit a report to the legislature relative to funding and programs for workforce development (Subject to Rule Suspension)

HB 26 ZERINGUE COLLEGES/UNIVERSITIES Extends, with limitations, the authority of public postsecondary education management boards to establish and increase student fees (Item #41)

Introduction of Dr. Cade Brumley, State Superintendent of Education

COMMITTEE ROOM 2 TO BE USED FOR OVERFLOW

Persons who do not feel comfortable giving testimony in person at this time may submit a prepared statement in accordance with House Rule 14.33 in lieu of appearing before the committee:

A. Any interested person or any committee member may file with the committee a prepared statement concerning any matter within the committee's scope of authority, and the committee records shall reflect receipt of such statement and the date and time thereof.

B. Any person who files a prepared statement which contains data or statistical information shall include in such prepared statement sufficient information to identify the source of the data or statistical information. For the purposes of this Paragraph, the term "source"

shall mean publication, website, person, or other source from which the data or statistical information contained in the prepared statement was obtained by the person or persons who prepared the statement.

NOTE: Only statements mailed to snowdenj@legis.la.gov and received prior to 5:00 p.m., on June 10, 2020, will be included in the record for this committee meeting. All persons desiring to participate in the meeting shall utilize appropriate protective health measures and observe the recommended and appropriate social distancing.

RAYMOND E. GAROFALO, JR.
Chairman

Committee on Ways and Means

Will meet at: 9:00 a.m.

Date: Thursday, June 11, 2020

Location: Committee Room 4

HB 16 ECHOLS (TBA) TAX CREDITS Establishes a tax credit for eligible expenses incurred in the rehabilitation of historic structures included on the National Register of Historic Places (Item #19) (Subject to Rule Suspension)

HB 25 WRIGHT (TBA) TAX/CORP INCOME Authorizes carry-back provisions for the net operating loss deduction for purposes of calculating corporate income tax (Item #20) (Subject to Rule Suspension)

HB 50 IVEY (TBA) TAX/AD VALOREM TAX Authorizes local taxing authorities to enter into cooperative endeavor agreements that provide for payments in lieu of taxes (Item #28) (Subject to Rule Suspension)

HB 52 COUSSAN (TBA) TAX CREDITS Increases the amount of the Digital Interactive Media and Software Tax Credit and expands eligibility to include information technology services (Item #19) (Subject to Rule Suspension)

HB 54 IVEY (TBA) TAX/AD VALOREM-EXEMPTION Provides for ad valorem tax exemptions for certain capital investment projects (Item # 28) (Subject to Rule Suspension)

HB 64 STEFANSKI (TBA) TAX/GAMING Levies a state tax on the net revenue of fantasy sports contests (Item #17) (Subject to Rule Suspension)

OTHER BUSINESS:

COMMITTEE ROOM 3 TO BE USED FOR OVERFLOW

ANNOUNCEMENTS:

Persons who do not feel comfortable giving testimony in person at this time may submit a prepared statement in accordance with House Rule 14.33 in lieu of appearing before the committee:

A. Any interested person or any committee member may file with the committee a prepared statement concerning a specific instrument or matter under consideration by the committee or concerning any matter within the committee's scope of authority, and the committee records shall reflect receipt of such statement and the date and time thereof.

B. Any person who files a prepared statement which contains data or statistical information shall include in such prepared statement sufficient information to identify the source of the data or statistical

information. For the purposes of this Paragraph, the term "source" shall mean a publication, website, person, or other source from which the data or statistical information contained in the prepared statement was obtained by the person or persons who prepared the statement.

NOTE: Only statements mailed to leab@legis.la.gov and received prior to 8 a.m., Thursday, June 11, will be included in the record for this committee meeting. All persons desiring to participate in the meeting shall utilize appropriate protective health measures and observe the recommended and appropriate social distancing.

STUART J. BISHOP
Chairman

House Committee on Transportation, Highways and Public Works
and

Senate Committee on Transportation, Highways and Public Works

Will meet at: Upon Adjournment of the House

Date: Thursday, June 11, 2020

(TBA) (Subject to Rule Suspension)

Location: Committee Room 5

Authorization to proceed with a Transportation Services contract under the Public private partnership authorizations

COMMITTEE ROOM 6 WILL BE USED FOR OVERFLOW

Persons who do not feel comfortable giving testimony in person at this time may submit a prepared statement in accordance with House Rule 14:33 in lieu of appearing before the committee:

A. Any interested person or any committee member may file with the committee a prepared statement concerning any matter within the committee's scope of authority, and the committee records shall reflect receipt of such statement and the date and time thereof.

B. Any person who files a prepared statement which contains data or statistical information shall include in such prepared statement sufficient information to identify the source of the data or statistical information. For the purposes of this Paragraph, the term "source" shall mean a publication, website, person, or other source from which the data or statistical information contained in the prepared statement was obtained by the person or persons who prepared the statement.

NOTE: Only statements mailed to mozeer@legis.la.gov and received prior to Wednesday, June 10, 2020 by 5:00 p.m., will be included in the record for this committee meeting. All persons desiring to participate in the meeting shall utilize appropriate protective health measures and observe the recommended and appropriate social distancing.

VINCENT J. PIERRE
Chairman