

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


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**FOURTH DAY'S PROCEEDINGS**

**Forty-seventh Extraordinary Session of the Legislature**  
**Under the Adoption of the**  
**Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Thursday, October 1, 2020

The House of Representatives was called to order at 2:13 P.M., by the Honorable Clay Schexnayder, Speaker of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

Mr. Speaker	Freeman	McCormick
Adams	Freiberg	McFarland
Amedee	Frieman	McKnight
Bacala	Gadberry	McMahon
Bagley	Gaines	Miguez
Beaulieu	Goudeau	Miller, D.
Bishop	Green	Miller, G.
Bourriaque	Harris	Mincey
Brass	Henry	Moore
Brown	Hilferty	Newell
Bryant	Hodges	Orgeron
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	Stefanski
DeVillier	Jordan	Tarver
Duplessis	Kerner	Thomas
Dwight	LaCombe	Thompson
Echols	Landry	Turner
Edmonds	Larvadain	Villio
Edmonston	Lyons	Wheat
Emerson	Mack	White
Farnum	Magee	Willard
Firment	Marcelle	Wright
Fontenot	Marino	Zeringue
Total - 99		

The Speaker announced that there were 99 members present and a quorum.

**Prayer**

Prayer was offered by Rep. McFarland.

**Pledge of Allegiance**

Rep. Orgeron 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. Huval, the reading of the Journal was dispensed with.

On motion of Rep. Huval, the Journal of September 30, 2020, was adopted.

**Petitions, Memorials, and Communications**

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

**Message from the Senate**

**SENATE BILLS**

October 1, 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 No. 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, under a suspension of the rules, referred to committees, as follows:

**SENATE BILL NO. 14—**

BY SENATORS JOHNS, MCMATH, REESE, SMITH AND WARD  
AN ACT

To amend and reenact R.S. 47:6016.1(B)(4), (6), (7), (8), (9), (10), and (11) and to enact R.S. 47:6016.1(B)(12), relative to the Louisiana New Markets Jobs Act tax incentives; to add businesses impacted by Hurricane Laura to the eligible qualified active low-income community businesses; to provide an effective date; and to provide for related matters.

Read by title.

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

**Suspension of the Rules**

On motion of Rep. Magee, 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. 3—**

BY REPRESENTATIVE STAGNI

**A RESOLUTION**

To designate October 2020 as National Chiropractic Health Month in Louisiana.

Read by title.

Lies over under the rules.

**HOUSE RESOLUTION NO. 4—**

BY REPRESENTATIVE LACOMBE

**A RESOLUTION**

To commend Wilson "Hook" Cazes for his service and dedication to the town of Addis.

Read by title.

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

**HOUSE RESOLUTION NO. 5—**

BY REPRESENTATIVE SCHEXNAYDER

**A RESOLUTION**

To express the condolences of the House of Representatives upon the death of Joe A. Locke, a longtime House Sergeant at Arms employee, and to posthumously commend his service.

Read by title.

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

**HOUSE RESOLUTION NO. 6—**

BY REPRESENTATIVE FONTENOT

**A RESOLUTION**

To commend Nathan Richard for his fundraising efforts.

Read by title.

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

**HOUSE CONCURRENT RESOLUTION NO. 19—**

BY REPRESENTATIVE MIKE JOHNSON

**A CONCURRENT RESOLUTION**

To establish the Task Force on the 4.9 GHz Spectrum to study and make recommendations on how to close the digital divide and allocate the 4.9 GHz spectrum should it become available in Louisiana and to submit a written report of findings and recommendations to the legislature no later than February 1, 2021.

Read by title.

On motion of Rep. Michael Johnson, and under a suspension of the rules, the above resolution was referred to the Committee on Commerce, under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 20—**

BY REPRESENTATIVE SCHEXNAYDER

**A CONCURRENT RESOLUTION**

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

Read by title.

On motion of Rep. Stefanski, and under a suspension of the rules, the above resolution was referred to the Committee on Labor and Industrial Relations, under the rules.

**Introduction of House Bills and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

**HOUSE BILL NO. 70—**

BY REPRESENTATIVE SCHEXNAYDER

**AN ACT**

To repeal R.S. 23:1536(E)(1), relative to unemployment compensation; to repeal statutory authorization of enforcing a solvency tax on employers.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

**HOUSE BILL NO. 71—**

BY REPRESENTATIVE HODGES

**AN ACT**

To amend and reenact R.S. 29:736(D) and to enact R.S. 29:723(20) and 736(E), (F), and (G), relative to restrictions on religious worship during a state of emergency; to provide for executive instruments; to prohibit discrimination against places of worship; to limit restrictions on a place of worship; to provide for definitions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

**HOUSE BILL NO. 72—**

BY REPRESENTATIVE STEFANSKI

**AN ACT**

To amend and reenact R.S. 39:100.44(J), relative to the Louisiana Main Street Recovery Program; to dedicate a certain portion of program funds for certain businesses; to provide relative to calculation of award amounts; to provide an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 73—**

BY REPRESENTATIVE JONES

**AN ACT**

To amend and reenact R.S. 33:2740.49(H)(1), relative to the Downtown Economic Development District for the City of Monroe; to provide relative to the use of tax increment financing by the district; to remove certain restrictions placed on the use of such financing; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**Reports of Committees**

The following reports of committees were received and read:

Report of the Committee on

Administration of Criminal Justice

October 1, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Bill No. 1, by James  
Reported with amendments. (8-1)

House Bill No. 2, by James  
Reported with amendments. (8-0)

House Bill No. 12, by Marino  
Reported with amendments. (8-0)

House Bill No. 14, by Stefanski  
Reported favorably. (8-0)

EDWARD C. "TED" JAMES, II  
Chairman

### Suspension of the Rules

On motion of Rep. James, the rules were suspended in order to take up House Bills contained in the committee report at this time.

### 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. 1—**  
BY REPRESENTATIVE JAMES  
AN ACT

To amend and reenact R.S. 15:574.4(J)(1)(introductory paragraph) and to enact R.S. 15:574.4(J)(4), relative to parole eligibility for juvenile offenders; to modify the applicability of certain parole eligibility provisions to juvenile offenders serving life sentences; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 1 by Representative James

AMENDMENT NO. 1

On page 1, line 5, after "sentences;" and before "and" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 1, after line 19, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

**HOUSE BILL NO. 2—**  
BY REPRESENTATIVE JAMES  
AN ACT

To enact R.S. 15:584(C) and 587(J), relative to criminal justice system data; to provide relative to the duty and authority of the Louisiana Bureau of Criminal Identification and Information to cooperate with certain nonprofit entities; to provide for the authority of certain nonprofit entities to obtain access to certain criminal justice system data and information under certain conditions; to provide relative to the nonprofit entities access to de-identified arrest and conviction information; to provide relative to the execution of a nondisclosure agreement; to provide for a termination date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 2 by Representative James

AMENDMENT NO. 1

On page 1, line 9, after "date;" and before "and" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 3, after line 3, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

**HOUSE BILL NO. 12—**  
BY REPRESENTATIVE MARINO  
AN ACT

To amend and reenact R.S. 15:573.2 and 574.4.1(A)(2) and to enact R.S. 15:573.3 and 574.4.1(E), relative to hearings of the Board of Pardons and committee on parole; to provide relative to the continuity of government by allowing the use of teleconference communication for meetings or hearings of the Board of Pardons and committee on parole; to authorize certain persons to appear before the Board of Pardons and committee on parole by teleconference; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 12 by Representative Marino

AMENDMENT NO. 1

On page 1, line 2, after "574.4.1(A)(2)" insert a comma "," and delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "574.4.1(E),"

AMENDMENT NO. 3

On page 1, line 4, after "by" delete the remainder of the line and delete lines 5 through 7 and insert the following:

"authorizing certain persons to appear before the Board of Pardons and committee on parole by teleconference; and"

AMENDMENT NO. 4

On page 1, delete lines 10 through 11 in their entirety and insert the following:

"Section 1. R.S. 15:573.2 and 574.4.1(A)(2) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 5

On page 1, delete lines 18 through 21 in their entirety

AMENDMENT NO. 6

Delete page 2 in its entirety

AMENDMENT NO. 7

On page 3, delete lines 1 through 14 in their entirety

AMENDMENT NO. 8

On page 3, delete line 16 in its entirety and insert the following:

"§574.4.1. Parole consideration and hearings"

AMENDMENT NO. 9

On page 3, delete lines 24 through 29 in their entirety

AMENDMENT NO. 10

Delete page 4 in its entirety

AMENDMENT NO. 11

On page 5, delete lines 1 through 11 in their entirety

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

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

**Speaker Pro Tempore Magee in the Chair**

**HOUSE BILL NO. 14—**

BY REPRESENTATIVE STEFANSKI  
AN ACT

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

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

**Suspension of the Rules**

On motion of Rep. Dwight, the rules were suspended in order to take up and consider Reports of Committees at this time.

**Reports of Committees**

The following reports of committees were received and read:

Report of the Committee on

House and Governmental Affairs

October 1, 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 Concurrent Resolution No. 9, by Schexnayder  
Reported favorably. (15-0-1)

House Concurrent Resolution No. 15, by Ivey  
Reported with amendments. (12-0-1)

House Bill No. 4, by Wright  
Reported with amendments. (10-5)

House Bill No. 11, by Pressly  
Reported with amendments. (14-0-1)

House Bill No. 15, by Frieman  
Reported with amendments. (10-4-1)

House Bill No. 32, by Zeringue  
Reported with amendments. (10-0-1)

House Bill No. 60, by Ivey  
Reported with amendments. (12-0-1)

House Bill No. 68, by Schexnayder  
Reported favorably. (14-0-1)

Senate Bill No. 29, by Cortez  
Reported with amendments. (11-0)

STEPHEN C. DWIGHT  
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

### Suspension of the Rules

On motion of Rep. Dwight, the rules were suspended in order to take up House and House Concurrent Resolutions contained in the committee report at this time.

### House and House Concurrent Resolutions Reported by Committee

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

#### HOUSE CONCURRENT RESOLUTION NO. 9— BY REPRESENTATIVE SCHEXNAYDER

##### A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

#### HOUSE CONCURRENT RESOLUTION NO. 15— BY REPRESENTATIVE IVEY

##### A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2021 Regular Session of the Legislature of Louisiana the provisions of R.S. 29:766(D)(3) through (8), 766(G), 767, 769(A), 769(B)(3), and 769(C)(2)(b), relative to the Louisiana Health Emergency Powers Act.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Concurrent Resolution No. 15 by Representative Ivey

##### AMENDMENT NO. 1

On page 1, line 2, after "suspend" delete the remainder of the line and on line 3, delete "Legislature of Louisiana"

##### AMENDMENT NO. 2

On page 1, line 5, after "Act" change the period "." to a semicolon ";" and insert "and provide relative to the duration of the suspension."

##### AMENDMENT NO. 3

On page 2, line 15, change "council" to "counsel"

##### AMENDMENT NO. 4

On page 3, delete lines 1 through 3 and insert the following:

"BE IT FURTHER RESOLVED that this suspension shall become effective upon adoption of this Resolution and shall extend through the sixtieth day after the final adjournment of the 2021 Regular Session of the Legislature of Louisiana or through receipt by the presiding officers of the Legislature of Louisiana of a written petition to terminate House Concurrent Resolution No. 15 of the 2020 Second Extraordinary Session of the Legislature of Louisiana signed by a majority of the elected members of each house of the Legislature of Louisiana, whichever is earlier."

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

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

### Suspension of the Rules

On motion of Rep. Dwight, the rules were suspended in order to take up House Bills contained in the committee report at this time.

### 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. 4—

BY REPRESENTATIVES WRIGHT, BACALA, MIGUEZ, AND HODGES  
AN ACT

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

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 4 by Representative Wright

##### AMENDMENT NO. 1

On page 1, line 2, after "768(A)" delete the comma "," and insert "and to enact R.S. 29:768.1,"

##### AMENDMENT NO. 2

On page 1, line 3, change "require" to "provide for"

##### AMENDMENT NO. 3

On page 1, line 4, change "approval for" to "power and authority regarding"

##### AMENDMENT NO. 4

On page 1, line 6, after "reenacted" insert "and R.S. 29:768.1 is hereby enacted"

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## AMENDMENT NO. 5

On page 1, line 16, delete "shall" and insert "may"

## AMENDMENT NO. 6

On page 1, line 17, after "days" delete the remainder of the line and delete lines 18 and 19, and insert the following:

"unless renewed by the governor. A renewal of a state of disaster or emergency or specific terms prescribed by the governor in such an order or proclamation shall be subject to termination by either house of the legislature in the manner provided by R.S. 29:768.1."

## AMENDMENT NO. 7

On page 2, line 6, delete "shall" and insert "may"

## AMENDMENT NO. 8

On page 2, at the end of line 6, after "days" delete the remainder of the line and delete lines 7 through 9, and insert the following:

"unless renewed by the governor. A renewal of a public health emergency or specific terms prescribed by the governor in such an order or proclamation shall be subject to termination by either house of the legislature in the manner provided by R.S. 29:768.1."

## AMENDMENT NO. 9

On page 2, after line 10, insert the following:

"§768.1. Procedure for legislative approval of a renewal of an emergency or disaster declaration

A. Once the governor has renewed a state of disaster or emergency or a state of public health emergency, the speaker of the House of Representatives, the president of the Senate, the speaker pro tempore of the House of Representatives, and the president pro tempore of the Senate shall immediately review the order or proclamation and the terms prescribed by the governor in such order or proclamation. If at least three of the four legislative officers concur that the order or proclamation or that the terms prescribed by the governor in such order or proclamation exceed the authority granted to the governor by law or are not narrowly tailored to address the disaster or emergency or public health emergency, the presiding officers of the legislature shall immediately transmit to the governor a concise description of the issues which cites the specific order or proclamation, and if applicable, the specific sections or subsections of the order or proclamation. Further, the presiding officers of the legislature shall direct the clerical officer of each house of the legislature to immediately jointly prepare and transmit a ballot to each surviving member of the legislature as provided in this Section.

B. (1) The ballots shall be uniform.

(2) Each ballot shall contain each issue identified in the description required by Subsection A of this Section forth set forth in such a manner to enable each member to cast his vote separately for or against terminating the governor's authority regarding each issue.

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

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

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

(a) The number of items on the ballot.

(b) The vote required for passage of the items on the ballot.

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

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

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

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

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

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

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

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

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

C.(1) On the next business day after the deadline for returning ballots as provided in Paragraph (B)(8) of this Section, the clerk of the House of Representatives and the secretary of the Senate shall tabulate the vote in roll call order for each house of the legislature. The clerk and the secretary shall hold such ballots under seal and shall not disclose the contents to any person until the day when such ballots are tabulated. No ballot shall be deemed spoiled if inadvertently disclosed in processing.

(2) The tabulation shall indicate by name those members who voted in favor of each item, those who voted against each item, those who did not vote on one or more items, those who did not return the ballot by the due date and time, and those whose ballots were invalid because not signed by the member. The clerk and the secretary shall sign the tabulation sheet or sheets and cause a summary thereof to be transmitted to each member of the legislature and the governor. Further, the clerk and the secretary shall disseminate the tabulation promptly by means calculated to bring its contents to the attention of the general public and promptly file it with the Governor's Office of

Homeland Security and Emergency Preparedness and with the secretary of state, and if the ballot involved a public health emergency, with the Louisiana Department of Health, office of public health.

D. If a majority of the surviving members of either house of the legislature vote in favor of terminating the governor's authority regarding an issue on the ballot, then that order or proclamation or section or subsection of such order or proclamation, as the case may be, is deemed terminated and of no effect as of the date and time the tabulation is transmitted to the governor.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

#### HOUSE BILL NO. 11—

BY REPRESENTATIVE PRESSLY  
AN ACT

To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations; to provide relative to the termination of emergency declarations; to provide relative to the effect of terminating emergency declarations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 11 by Representative Pressly

##### AMENDMENT NO. 1

On page 1, delete line 20, and insert the following:

"that are not directly related to the state of disaster or emergency that was terminated."

##### AMENDMENT NO. 2

On page 2, line 4, after "circumstances" delete the remainder of the line and line 5, and insert:

"that are not directly related to the state of disaster or emergency that was terminated."

##### AMENDMENT NO. 3

On page 2, line 18, after "circumstances" delete the remainder of the line and insert:

"that are not directly related to the public health emergency that was terminated."

##### AMENDMENT NO. 4

On page 2, line 22, after "circumstances" delete the remainder of the line and line 23 and insert:

"that are not directly related to the public health emergency that was terminated."

##### AMENDMENT NO. 5

On page 2, after line 24, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

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

#### Speaker Schexnayder in the Chair

#### HOUSE BILL NO. 15—

BY REPRESENTATIVE FRIEMAN  
AN ACT

To amend and reenact R.S. 29:724(B)(2) and 768(B), relative to emergency declarations; to authorize the legislature to terminate all or part of an emergency declaration; to provide for the procedure by which the petition is signed and transmitted to the governor; to provide for the effectiveness of the petition to terminate; to provide for an effective date; to provide for retroactive application; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 15 by Representative Frieman

##### AMENDMENT NO. 1

On page 1, delete lines 15 through 20 and on page 2, delete lines 1 through 8 and insert the following:

"(2)(a) The Either house of the legislature, by petition signed by a majority of the surviving members of either that house, may terminate a the entire state of disaster or emergency or any section or subsection of the executive order or proclamation declaring the state of disaster or emergency at any time. This petition terminating the state of emergency or disaster or any section or subsection of the executive order or proclamation declaring the state of disaster or emergency may establish a period during which no other declaration of emergency or disaster related to the state of disaster or emergency that was terminated or related to any section or subsection of the executive order or proclamation declaring the state of disaster or emergency that was terminated by the petition may be issued. Thereupon, the governor shall issue an executive order or proclamation ending the state of disaster or emergency."

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(b) The petition terminating the entire declaration of a state of disaster or emergency or terminating one or more sections or subsections of the executive order or proclamation, duly signed by a majority of the surviving members of the House of Representatives or the Senate shall be transmitted to the clerk of the House of Representatives or secretary of the Senate, as applicable, who shall transmit the petition to the governor. The termination shall be effective upon the transmission of the petition to the governor.

(c) Further, the clerk of the House of Representatives or secretary of the Senate, as applicable, shall disseminate the petition promptly by means calculated to bring its contents to the attention of the general public and promptly file it with the Governor's Office of Homeland Security and Emergency Preparedness and with the secretary of state.

\* \* \*

## AMENDMENT NO. 2

On page 2, delete lines 11 through 25 and insert the following:

"B.(1) ~~The~~ Either house of the legislature, ~~in consultation after consulting with the public health authority, by a petition signed by a majority of the surviving members of either that house, may terminate a the entire state of public health emergency or any section or subsection of the executive order or proclamation declaring the state of public health emergency at any time. This petition terminating the public health emergency or any section or subsection of the executive order or proclamation declaring the state of public health emergency may establish a period during which no other declaration of public health emergency related to the state of public health emergency that was terminated or related to any section or subsection of the executive order or proclamation declaring the state of public health emergency that was terminated by the petition may be issued. Thereupon, the governor shall issue an executive order or proclamation ending the state of public health or emergency.~~

(b) The petition terminating the entire declaration of a state of public health emergency or terminating one or more sections or subsections of the executive order or proclamation, duly signed by a majority of the surviving members of the House of Representatives or the Senate shall be transmitted to the clerk of the House of Representatives or secretary of the Senate, as applicable, who shall transmit the petition to the governor. The termination shall be effective upon the transmission of the petition to the governor.

(c) Further, the clerk of the House of Representatives or secretary of the Senate, as applicable, shall disseminate the petition promptly by means calculated to bring its contents to the attention of the general public and promptly file it with the Governor's Office of Homeland Security and Emergency Preparedness, with the Louisiana Department of Health, office of public health, and with the secretary of state."

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

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

## **HOUSE BILL NO. 32—**

BY REPRESENTATIVES ZERINGUE AND MAGEE  
AN ACT

To enact R.S. 29:732.1 and 776, relative to the operation of restaurants and bars during a state of emergency or public health emergency; to require that restaurants and bars be subject to the same restrictions; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

## **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 32 by Representative Zeringue

### AMENDMENT NO. 1

On page 1, line 2, after "restaurants" and before "during" delete "and bars" and insert "and establishments selling alcoholic beverages"

### AMENDMENT NO. 2

On page 1, at the end of line 3, delete "bars" and insert "establishments selling alcoholic beverages"

### AMENDMENT NO. 3

On page 1, line 4, after "subject to" delete "the same" and insert "uniform"

### AMENDMENT NO. 4

On page 1, at the end of line 7, delete "bars" and insert "establishments selling alcoholic beverages"

### AMENDMENT NO. 5

On page 1, line 9, after "restaurants" delete the remainder of the line and insert "and establishments permitted pursuant to Title 26 of the Louisiana Revised Statutes of 1950 to sell alcoholic beverages on the premises for consumption on the premises shall be subject to uniform"

### AMENDMENT NO. 6

On page 1, at the end of line 12, delete "bars" and insert and insert "establishments selling alcoholic beverages"

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

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

## **HOUSE BILL NO. 60—**

BY REPRESENTATIVE IVEY  
AN ACT

To amend and reenact R.S. 29:768 and to enact R.S. 29:768.1, relative to public health emergencies; to provide relative to the renewal of emergency declarations; to provide a procedure for legislative approval of the renewal of emergency declarations; to provide for an effective date; to provide for prospective and retroactive application; to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

## **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 60 by Representative Ivey



AMENDMENT NO. 1

On page 1, at the end of line 16, delete "pursuant to" and at the beginning of line 17, delete "the procedure provided by in" and insert "in accordance with"

AMENDMENT NO. 2

On page 1, delete lines 18 through 20 and on page 2, delete lines 1 through 11 and insert the following:

"B.(1) The legislature, in consultation with the public health authority, by a petition signed by a majority of the surviving members of either house, may terminate a state of public health emergency at any time. This petition terminating the public health emergency may establish a period during which no other declaration of public health emergency may be issued. Thereupon, the governor shall issue an executive order or proclamation ending the state of public health or emergency. The House of Representatives or the Senate may terminate a state of public health emergency at any time by a petition signed by the majority of its surviving members. The petition may establish and confine the applicability of a period during which no other declaration of a public health emergency may be issued and shall include a date and time on which the state of public health emergency terminates. The petition shall be submitted to the clerical officer of the respective house. Upon receipt of a valid petition, the clerical officer shall transmit copies of the signed petition to the other house, the governor, and the secretary of state. The clerical officer shall give notice to the public of the termination of the state of public health emergency by publishing the petition on the joint legislative website and in the official journal of the state. No additional action is required to effectuate the termination of the state of public health emergency."

AMENDMENT NO. 3

On page 2, line 13, after "request to" and before "renew" insert "the legislature pursuant to R.S. 29:768.1 to"

AMENDMENT NO. 4

On page 2, line 14, after "emergency" insert a period "." and delete "pursuant to R.S. 29:768.1."

AMENDMENT NO. 5

On page 2, line 18, after "item" insert a period "." and delete the remainder of the line and delete line 19 and insert "Each item shall"

AMENDMENT NO. 6

On page 2, line 20, after "members of" delete remainder of the line and insert "each house of the legislature."

AMENDMENT NO. 7

On page 2, line 22, after "members of" and before "house" delete "either" and insert "each"

AMENDMENT NO. 8

On page 2, delete lines 25 through 27 and insert "(3) Each item shall be placed separately on the ballot and require each member to cast his vote separately for or against each item."

AMENDMENT NO. 9

On page 3, at the beginning of line 1, delete "(5) The clerical officer" and insert "(5) The clerical officers of the legislature"

AMENDMENT NO. 10

On page 3, line 2, after "same day." and before "shall" delete "The clerical officer" and insert "The clerical officers of the legislature"

AMENDMENT NO. 11

On page 3, at the beginning of line 4, delete "(6) The clerical officer" and insert "(6) The clerical officers of the legislature"

AMENDMENT NO. 12

On page 3, at the beginning of line 15, delete "(b)(i) The clerical officer" and insert "(b)(i) The clerical officers of the legislature"

AMENDMENT NO. 13

On page 3, line 18, after "secure." and before "shall" delete "The clerical officer" and insert "The clerical officers of the legislature"

AMENDMENT NO. 14

On page 3, at the beginning of line 24, delete "(8)(a) The clerical officer" and insert "(8)(a) The clerical officers of the legislature"

AMENDMENT NO. 15

On page 3, line 27, after "date." and before "shall" delete "the clerical officer" and insert "the clerical officers of the legislature"

AMENDMENT NO. 16

On page 4, line 4, after "returned to" and before "no later" delete "the clerical officer" and insert "the clerical officers of the legislature"

AMENDMENT NO. 17

On page 4, line 7, after "returned to" and before "no later" delete "the clerical officer" and insert "the clerical officers of the legislature"

AMENDMENT NO. 18

On page 4, line 9, after "received by" and before "the deadline" delete "the clerical officer" and insert "the clerical officers of the legislature after"

AMENDMENT NO. 19

On page 4, line 14, after "Whenever" and before "to provide" delete "the clerical officer is" and insert "the clerical officers of the legislature are"

AMENDMENT NO. 20

On page 4, line 19, after "Section," and before "shall" delete "the clerical officer" and insert "the clerical officers of the legislature"

AMENDMENT NO. 21

On page 4, line 20, after "legislature." and before "shall" delete "The clerical officer" and insert "The clerical officers of the legislature"

AMENDMENT NO. 22

On page 4, line 27, after "member." delete "The clerical officer" and insert "The clerical officers of the legislature"

AMENDMENT NO. 23

On page 5, line 1, after "summary from" delete "the clerical officer" and insert "the clerical officers of the legislature"

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## AMENDMENT NO. 24

On page 5, line 2, after "governor" delete "is authorized to renew, supplement" and insert "may renew"

## AMENDMENT NO. 25

On page 5, line 3, after "thirty days" delete the remainder of the line and delete line 4 and insert a period " . "

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

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

## **HOUSE BILL NO. 68—**

BY REPRESENTATIVE SCHEXNAYDER  
AN ACT

To amend and reenact R.S. 29:722(A)(2), 724(A) and (B), 766(A), (B), and (D) and 768, relative to the declaration of emergencies; to provide relative to the declaration of a state of disaster or emergency and a state of public health emergency; to provide for the renewal and termination of certain emergencies; to create the Legislative Committee on Emergency Declarations; to provide for the authority, duties, and membership of the Legislative Committee on Emergency Declarations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

## **Privileged Report of the Legislative Bureau**

October 1, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 29  
Reported without amendments.

Respectfully submitted,

DODIE HORTON  
Chair

## **Senate Instruments on Second Reading Returned from the Legislative Bureau**

Rep. Dwight asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

## **SENATE BILL NO. 29—**

BY SENATORS CORTEZ AND MCMATH  
AN ACT

To amend and reenact R.S. 29:724(B)(1) and (2) and (D)(1), 766(D)(1), and 768 and to enact R.S. 29:724(I), relative to emergencies and disasters in the state of Louisiana; to provide for duties and powers of the governor and of the legislature; to create the Legislative Emergency Declaration Review Committee; to provide relative to renewals of certain

gubernatorial emergency or disaster declarations or of suspensions related thereto; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

## **HOUSE COMMITTEE AMENDMENTS**

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

## AMENDMENT NO. 1

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

## AMENDMENT NO. 2

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

## AMENDMENT NO. 3

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

## AMENDMENT NO. 4

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

## AMENDMENT NO. 5

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

## AMENDMENT NO. 6

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

## AMENDMENT NO. 7

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

## AMENDMENT NO. 8

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

Reported without amendments by the Legislative Bureau.

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

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

## **Suspension of the Rules**

On motion of Rep. Davis, the rules were suspended to permit the Committee on Commerce to meet on Monday, October 5, 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 No. 19

**Suspension of the Rules**

On motion of Rep. Huval, the rules were suspended to permit the Committee on Municipal, Parochial and Cultural Affairs to meet on Friday, October 2, 2020, without giving the notice required by House Rule 14.24(A) 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. 22 and 41

**Leave of Absence**

Rep. Stagni - 1 day

**Adjournment**

On motion of Rep. Thompson, at 2:47 P.M., the House agreed to adjourn until Friday, October 2, 2020, at 9:00 A.M.

The Speaker of the House declared the House adjourned until 9:00 A.M., Friday, October 2, 2020.

MICHELLE D. FONTENOT  
Clerk of the House

