

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

THIRTEENTH 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

Monday, October 19, 2020

The House of Representatives was called to order at 2:00 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	McKnight
Adams	Freiberg	McMahen
Amedee	Frieman	Miguez
Bacala	Gadberry	Miller, D.
Bagley	Gaines	Miller, G.
Beaulieu	Garofalo	Mincey
Bishop	Goudeau	Moore
Bourriaque	Green	Muscarello
Brass	Harris	Nelson
Brown	Henry	Newell
Bryant	Hilferty	Orgeron
Butler	Hodges	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	Landy	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	Wheat
Emerson	Magee	Willard
Farnum	Marcelle	Wright

Firment	McCormick	Zeringue
Fontenot	McFarland	
Total - 101		

The Speaker announced that there were 101 members present and a quorum.

Prayer

Prayer was offered by Rep. Horton.

Pledge of Allegiance

Rep. Pierre 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 October 15, 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. 25—

BY REPRESENTATIVE WHEAT
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Marlon Kearney Foster, former chief of detectives for the Livingston Parish Sheriff's Office.

Read by title.

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

HOUSE RESOLUTION NO. 26—

BY REPRESENTATIVES GARY CARTER AND HUGHES
A RESOLUTION

To express the condolences of the House of Representatives upon the death of George V. Rainey.

Read by title.

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

HOUSE RESOLUTION NO. 27—

BY REPRESENTATIVE CHARLES OWEN
A RESOLUTION

To posthumously commend U.S. Army Private Charley F. Owen and other Louisianians who died in service to their country during World War I.

Read by title.

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

HOUSE RESOLUTION NO. 28—

BY REPRESENTATIVE JAMES
A RESOLUTION

To urge and request the House Committee on Judiciary to meet and study how to mitigate the long-term consequences of eviction records and rent debt on renters and the economy, especially during the COVID-19 pandemic and its resulting unemployment crisis.

Read by title.

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On motion of Rep. Zeringue, and under a suspension of the rules, the above resolution was referred to the Committee on Judiciary, under the rules.

HOUSE RESOLUTION NO. 29—
BY REPRESENTATIVE HORTON
A RESOLUTION

To commend Joshua Hodges on his professional achievements and service to his country.

Read by title.

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

HOUSE RESOLUTION NO. 30—
BY REPRESENTATIVE DAVIS
A RESOLUTION

To designate the week of October 11-17, 2020, as Sterile Processing Week in Louisiana.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVE GAROFALO
A CONCURRENT RESOLUTION

To provide for legislative approval of adjustments adopted by the State Board of Elementary and Secondary Education on October 14, 2020, to the Minimum Foundation Program formula adopted by the state board on March 13, 2019, and approved by the legislature in Senate Concurrent Resolution No. 3 of the 2019 Regular Session of the Legislature.

Read by title.

On motion of Rep. Garofalo, and under a suspension of the rules, the above resolution was referred to the Committee on Education, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVES HARRIS AND MIKE JOHNSON
A CONCURRENT RESOLUTION

To urge and request Governor John Bel Edwards to add Rapides Parish to the areas covered by the request for a federal disaster declaration for Hurricane Delta.

Read by title.

On motion of Rep. Harris, and under a suspension of the rules, the above resolution was referred to the Committee on Judiciary, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVES CHARLES OWEN AND COX
A CONCURRENT RESOLUTION

To commend the Louisiana National Guard for its hard work, commitment, selfless dedication, and lifesaving efforts throughout 2020.

Read by title.

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

Ordered to the Senate.

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. 99—
BY REPRESENTATIVE AMEDEE
AN ACT

To amend and reenact R.S. 40:2010.8(A)(2)(b)(vii) and (viii), (d), and (B) and to enact R.S. 40:2166.11, relative to rights of nursing home residents and residents of adult residential care provider facilities; to provide relative to the right of such residents to have access to visitors; to provide relative to restrictions that nursing homes and adult residential care provider facilities may impose for the protection of residents; to provide for construction of laws; to prohibit any limitation of the right of nursing home residents and residents of adult residential care provider facilities to have access to visitors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

HOUSE BILL NO. 100—
BY REPRESENTATIVE NEWELL
AN ACT

To amend and reenact R.S. 46:2751(C), 2752(C) and (D), 2755(B)(introductory paragraph), and 2756 and to enact R.S. 46:2751(B)(4), 2752(E), and 2755(B)(5), relative to the Juvenile Justice Reform Act Implementation Commission; to provide relative to the commission's purposes, powers, and duties; to provide relative to the membership of the commission; to require the commission to consider the well-being of youth in the juvenile justice system during a public health emergency; to provide relative to meetings of the commission; to provide relative to officers of the commission; to require annual reports of the commission; 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 Administration of Criminal Justice.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on

Appropriations

October 19, 2020

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 30, by Landry
Reported favorably. (19-0)

Senate Concurrent Resolution No. 9, by Cortez
Reported favorably. (19-0)

Senate Bill No. 38, by White, B
Reported with amendments. (18-0)

JEROME "ZEE" ZERINGUE
Chairman

The above Senate Bills and SCR 9 reported favorably or with amendments were referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. Zeringue, 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 reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 30— BY REPRESENTATIVE LANDRY

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to pass a stimulus plan that includes funds for unemployment, housing, and local government.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Suspension of the Rules

On motion of Rep. Davis, 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

Commerce

October 19, 2020

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 41, by Johns
Reported favorably. (14-0)

Senate Bill No. 67, by Reese
Reported favorably. (13-0)

Senate Bill No. 69, by Johns
Reported with amendments. (13-0)

PAULA P. DAVIS
Chairwoman

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

Report of the Committee on

Transportation, Highways and Public Works

October 19, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Concurrent Resolution No. 31, by Lyons
Reported favorably. (14-0)

Senate Bill No. 5, by Hewitt
Reported favorably. (15-0)

Senate Bill No. 7, by Hewitt
Reported with amendments. (15-0)

Senate Bill No. 49, by Hewitt
Reported favorably. (15-0)

VINCENT J. PIERRE
Chairman

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

Suspension of the Rules

On motion of Rep. Pierre, 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 reported by committee were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 31— BY REPRESENTATIVE LYONS

A CONCURRENT RESOLUTION

To urge and request agencies procuring supplies, services, and major repairs on an emergency basis to provide for greater transparency and competition in such procurements where practicable.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

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

Suspension of the Rules

On motion of Rep. Bishop, 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

Ways and Means

October 19, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

Senate Bill No. 50, by Allain
Reported with amendments. (11-0)

Senate Bill No. 52, by Reese
Reported favorably. (12-0)

Senate Bill No. 62, by Smith, G.
Reported with amendments. (12-0)

Senate Bill No. 72, by Talbot
Reported with amendments. (11-0)

STUART J. BISHOP
Chairman

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

House and House Concurrent Resolutions Lying Over

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

Motion

On motion of Rep. Tarver, the Committee on Appropriations was discharged from further consideration of House Resolution No. 18.

HOUSE RESOLUTION NO. 18—
BY REPRESENTATIVE TARVER

A RESOLUTION

To urge and request the state treasurer to provide for an extension for residents of Cameron and Calcasieu parishes to apply for funds available through the Louisiana Main Street Recovery Program.

Read by title.

Motion

On motion of Rep. Tarver, the resolution was withdrawn from the files of the House.

Senate Concurrent Resolutions Lying Over

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

Motion

On motion of Rep. Gregory Miller, the Committee on Civil Law and Procedure was discharged from further consideration of Senate Concurrent Resolution No. 10.

SENATE CONCURRENT RESOLUTION NO. 10—
BY SENATOR FOIL

A CONCURRENT RESOLUTION

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

Read by title.

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

Motion

On motion of Rep. Gregory Miller, the Committee on Civil Law and Procedure was discharged from further consideration of Senate Bill No. 44.

SENATE BILL NO. 44—

BY SENATORS FIELDS, ABRAHAM, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CATHEY, CORTEZ, FESI, FOIL, HARRIS, JACKSON, JOHNS, LAMBERT, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, TARVER, WARD AND WOMACK

A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 6(B)(1), 7(B)(1), and 7.1(B)(1) of the Constitution of Louisiana, relative to the membership of postsecondary education boards of supervisors; to authorize the governor to appoint persons who reside out-of-state to the boards of supervisors under certain circumstances; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Motion

On motion of Rep. Gregory Miller, the bill was referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

October 19, 2020

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 9
Reported without amendments.

Senate Bill No. 5
Reported without amendments.

Senate Bill No. 7
Reported without amendments.

Senate Bill No. 38
Reported without amendments.

Senate Bill No. 41
Reported without amendments.

Senate Bill No. 44
Reported without amendments.

Senate Bill No. 49
Reported without amendments.

Senate Bill No. 50
Reported without amendments.

Senate Bill No. 52
Reported without amendments.

Senate Bill No. 62
Reported without amendments.

Senate Bill No. 67
Reported without amendments.

Senate Bill No. 69
Reported without amendments.

Senate Bill No. 72
Reported without amendments.

Respectfully submitted,

DODIE HORTON
Chair

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Zeringue 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 CONCURRENT RESOLUTION NO. 9—

BY SENATORS CORTEZ AND REESE

A CONCURRENT RESOLUTION

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

Read by title.

Reported favorably by the Committee on Appropriations.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Zeringue, the resolution was ordered passed to its third reading.

SENATE BILL NO. 5—

BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 51:61, 64, and 65, relative to foreign trade zones; to provide relative to the Plaquemines Port, Harbor and Terminal District; to provide authorization for the district to make application to be designated as a foreign trade zone; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pierre, the bill was ordered passed to its third reading.

SENATE BILL NO. 7—

BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 34:3494(A) and (B), 3495(A), (C), and (G), and 3496(A), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority board of commissioners; to provide for a reduction in membership on the board of commissioners; to provide for membership term limits; to provide for review of reporting practices; to provide for the election of officers to the board; to provide for quorum and vote requirements; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 7 by Senator Hewitt

AMENDMENT NO. 1

On page 2, line 18, after "Senate" and before the period "." insert "who shall be a serving member of the legislative delegation for St. Bernard parish or Plaquemines parish"

AMENDMENT NO. 2

On page 2, line 19, after "office" insert a period "." and delete the remainder of the line and delete line 20 in its entirety

AMENDMENT NO. 3

On page 2, line 22, after "Representatives" and before the period "." insert "who shall be a serving member of the legislative delegation for St. Bernard parish or Plaquemines parish"

AMENDMENT NO. 4

On page 2, line 23, after "office" insert a period "." and delete the remainder of the line and delete line 24 in its entirety

Reported without amendments by the Legislative Bureau.

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

SENATE BILL NO. 38—

BY SENATOR WHITE

AN ACT

To enact R.S. 39:100.22 and Subpart N 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. 39:100.51, and to amend and reenact R.S. 47:302.2(D), relative to special funds; to create the Fiscal Year 2021 Balanced Budget Reserve Fund in the state treasury; to create the 2020 Overcollections Fund in the state treasury; to provide relative to the transfer, dedication, deposit, and use of certain special funds in the state treasury; to provide for an effective date; 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 Reengrossed Senate Bill No. 38 by Senator White

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 in their entirety and at the beginning of line 6 delete "Overcollections Fund in the state treasury;" and insert the following:

"To amend and reenact R.S. 39:100.45(A) and 100.48(B) and R.S. 47:302.2(D), relative to special funds;"

AMENDMENT NO. 2

On page 1, delete lines 10 through 17 in their entirety and on page 2, delete lines 1 through 24 in their entirety and insert the following:

"Section 1. R.S. 39:100.45(A) and 100.48(B) are hereby amended and reenacted to read as follows:

§100.45. State Coronavirus Relief Fund

A. There is hereby created and established in the state treasury, as a special fund, the State Coronavirus Relief Fund, hereinafter the "relief fund". On December 1, 2020, the treasurer is authorized and directed to transfer any unobligated monies in the Coronavirus Local Recovery Allocation Fund and the Louisiana Main Street Recovery Fund to the relief fund to. Any monies in the relief fund may be used by the state, subject to appropriation if the Legislature is in session, or the Joint Legislative Committee on the Budget, if the legislature is not in session, for the purposes of supplementing the state's account in the unemployment trust fund in the United States Treasury or providing monies to local government units, eligible businesses, or the state in accordance with the provisions of this Subpart and the CARES Act.

* * *

§100.48. Critical Infrastructure Workers Hazard Pay Rebate Fund

* * *

B. The monies in the rebate fund shall be invested in the same manner as monies in the state general fund. Interest earned on the investment of monies in the rebate fund shall be deposited in and credited to the rebate fund. If applicable under federal guidelines, unexpended and unencumbered monies in the rebate fund shall remain in the rebate fund. The treasurer shall transfer any unobligated balance in the fund on December 1, 2020, to the State Coronavirus Relief Fund.

* * *

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 41— BY SENATOR JOHNS

AN ACT

To enact R.S. 40:1664.8(I), relative to the state fire marshal; to provide for the provisional licensure of certain applicants; to provide for the revocation of a provisional license; to provide for terms, conditions, and procedures; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Davis, the bill was ordered passed to its third reading.

SENATE BILL NO. 49— BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 34:3492(1), (10), (11), and (14), 3493(A)(1), 3499(F), 3501, and 3503(A)(2) and (3), relative to the Louisiana International Deep Water Gulf Transfer Terminal Authority; to provide with respect to the issuance of bonds; to revise definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Pierre, the bill was ordered passed to its third reading.

SENATE BILL NO. 50— BY SENATOR ALLAIN

AN ACT

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

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 50 by Senator Allain

AMENDMENT NO. 1

On page 2, at the beginning of line 1 delete "administrating" and insert "administering"

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 52— BY SENATOR REESE

AN ACT

To enact R.S. 47:6006(G), 6006.1(H), and 6014(G), relative to tax credits; to authorize payments of certain ad valorem taxes made for the 2020 tax year to be treated as timely paid for purposes of the tax credits for ad valorem taxes paid; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Bishop, the bill was ordered passed to its third reading.

SENATE BILL NO. 62— BY SENATOR SMITH AND REPRESENTATIVE GREGORY MILLER

AN ACT

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

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 62 by Senator Smith

AMENDMENT NO. 1

On page 1, line 16, after "for" and before "each" insert "at least one month within"

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 67— BY SENATOR REESE

AN ACT

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

Read by title.

Reported favorably by the Committee on Commerce.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Davis, the bill was ordered passed to its third reading.

SENATE BILL NO. 69—

BY SENATORS JOHNS, ABRAHAM, ALLAIN, BERNARD, BOUDREAU, BOUIE, CARTER, CATHEY, CORTEZ, FESI, FIELDS, FOIL, HARRIS, HENSGENS, HEWITT, JACKSON, LAMBERT, LUNEAU, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, PRICE, REESE, SMITH, TALBOT, TARVER, WARD, WHITE AND WOMACK

AN ACT

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

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 69 by Senator Johns

AMENDMENT NO. 1

On page 4, line 4, change "annual" to "regular"

AMENDMENT NO. 2

On page 4, line 11, after "any" and before "rules" insert "applicable"

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 72— BY SENATOR TALBOT

AN ACT

To enact R.S. 47:6041, relative to income tax credits; to authorize an income tax credit for certain businesses; to provide for the amount of the credit; to provide for requirements and limitations; to provide for the claiming of credits; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 72 by Senator Talbot

AMENDMENT NO. 1

On page 2, delete line 9 in its entirety and insert "(1) of this Subsection."

AMENDMENT NO. 2

On page 2, line 20 after "income tax" and before "returns" delete "or franchise tax"

AMENDMENT NO. 3

On page 2, line 22 after "income tax" and before "returns" delete "or franchise tax"

AMENDMENT NO. 4

On page 2, at the beginning of line 25, after "Section 2." insert the following:

"The provisions of this Act shall be applicable to income taxable periods beginning on January 1, 2020, through December 31, 2020.

Section 3."

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 44—

BY SENATORS FIELDS, ABRAHAM, BARROW, BERNARD, BOUDREAU, BOUIE, CARTER, CATHEY, CORTEZ, FESI, FOIL, HARRIS, JACKSON, JOHNS, LAMBERT, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, TARVER, WARD AND WOMACK

A JOINT RESOLUTION

Proposing to amend Article VIII, Sections 6(B)(1), 7(B)(1), and 7.1(B)(1) of the Constitution of Louisiana, relative to the membership of postsecondary education boards of supervisors; to authorize the governor to appoint persons who reside out-of-state to the boards of supervisors under certain circumstances;

and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

Reported without amendments by the Legislative Bureau.

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

Reconsideration

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

SENATE BILL NO. 11—
BY SENATOR CATHEY

AN ACT

To enact R.S. 17:176(G), relative to school interscholastic extracurricular athletic programs; to prohibit certain schools from being a member of, or participating in any competition sponsored by, organizations that do not have certain persons as members of their executive committees or governing boards; and to provide for related matters.

Read by title.

On motion of Rep. Pressly, the vote by which the above Senate Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 15—
BY REPRESENTATIVE PIERRE

A RESOLUTION

To urge and request the state Department of Education and the Louisiana Department of Health to identify solutions and resources necessary to install water bottle filling stations during new construction and renovation projects at public elementary and secondary schools.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pierre to Engrossed House Resolution No. 15 by Representative Pierre

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "Department of" and at the beginning of line 3, delete "Health" and insert "State Uniform Construction Code Council"

AMENDMENT NO. 2

On page 2, line 8, after "Louisiana" delete "Department of Health" and insert "State Uniform Construction Code Council"

AMENDMENT NO. 3

On page 2, line 12, after "Louisiana" delete "Department of Health" and insert "State Uniform Construction Code Council"

AMENDMENT NO. 4

On page 2, line 19, after "education and the" delete the remainder of the line and delete line 20 in its entirety and insert "administrator of the Louisiana State Uniform Construction Code Council."

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

Rep. Pierre moved the adoption of the resolution, as amended.

By a vote of 97 yeas and 0 nays, the resolution, as amended, was adopted.

Senate Concurrent Resolutions on Third Reading for Final Consideration

The following Senate Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

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

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

Read by title.

Motion

On motion of Rep. Beaulieu, the resolution was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Beaulieu gave notice of his intention to call Senate Concurrent Resolution No. 5 from the calendar on Tuesday, October 20, 2020.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 44—
BY REPRESENTATIVE MAGEE
AN ACT

To amend and reenact R.S. 14:329.6(A)(4), R.S. 26:493, 493.1, and 494, and R.S. 29:727(F)(8) and 737(B)(7), relative to the sale of alcoholic beverages during certain public health emergencies; to provide relative to the authority of a parish or municipality to prohibit or limit the sale of alcoholic beverages during a public health emergency; and to provide for related matters.

Read by title.

Rep. Magee moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 94

NAYS

Total - 0

ABSENT

Brown	Glover	Seabaugh
Crews	Hollis	Thompson
Deshotel	Marino	White
Edmonds	Miller, D.	

Total - 11

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Magee 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.

HOUSE BILL NO. 82—

BY REPRESENTATIVE AMEDEE

AN ACT

To enact R.S. 17:3914(M), relative to student information; to prohibit a school employee from sharing a student's personally identifiable information relative to illness or disease with the Department of Health for any purpose without parental consent; to authorize the sharing of aggregate data relative to certain diseases and conditions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Horton, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Horton on behalf of the Legislative Bureau to Engrossed House Bill No. 82 by Representative Amedee

AMENDMENT NO. 1

On page 1, line 4, following "with the" and before "Department" insert "Louisiana"

AMENDMENT NO. 2

On page 1, line 15, and before "Department" insert "Louisiana"

AMENDMENT NO. 3

On page 2, line 1, following "the" and before "Department" insert "Louisiana"

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

Motion

Rep. Pressly moved to recommit the bill, as amended, to the Committee on Health and Welfare.

Rep. Amedee objected.

By a vote of 60 yeas and 33 nays, the House agreed to recommit the bill, as amended, to the Committee on Health and Welfare.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 18—

BY SENATOR CATHEY

AN ACT

To enact R.S. 26:71(A)(8) and 271(A)(7), relative to the Alcoholic Beverage Control Law; to provide for certain permit fee payments; to provide for certain malt beverages or beverages of low alcoholic content permit fee payments; to provide for permit fee credits and refunds under certain exceptions related to COVID-19; and to provide for related matters.

Read by title.

Rep. McKnight 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, G.
Bagley	Garofalo	Mincey
Beaulieu	Goudeau	Moore
Bishop	Green	Muscarello
Bourriaque	Henry	Nelson
Brass	Hilferty	Newell
Brown	Hodges	Orgeron
Butler	Horton	Owen, C.
Carpenter	Hughes	Owen, R.
Carrier	Huval	Pierre
Carter, G.	Illg	Pressly

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Carter, R.	Ivey	Riser
Carter, W.	James	Romero
Cormier	Jefferson	Schamerhorn
Coussan	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	Landry	Thomas
Echols	Larvadain	Thompson
Edmonds	Lyons	Turner
Emerson	Mack	Villio
Farnum	Magee	Wheat
Firment	Marcelle	Willard
Fontenot	McCormick	Wright
Freeman	McFarland	Zeringue

Total - 90

NAYS

Total - 0

ABSENT

Bryant	Glover	Marino
Cox	Harris	Miller, D.
Crews	Hollis	Phelps
Dwight	Jenkins	Seabaugh
Edmonston	LaCombe	White

Total - 15

The Chair declared the above bill was finally passed.

Rep. McKnight 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.

SENATE BILL NO. 55— BY SENATORS CORTEZ AND REESE AN ACT

To enact R.S. 23:1474(J), relative to unemployment insurance; to provide for taxes and benefits for calendar year 2021; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Beaulieu gave notice of his intention to call Senate Bill No. 55 from the calendar on Tuesday, October 20, 2020.

SENATE BILL NO. 70— BY SENATOR JACKSON AN ACT

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

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hughes to Reengrossed Senate Bill No. 70 by Senator Jackson

AMENDMENT NO. 1

On page 1, line 3, delete "adjustments to"

AMENDMENT NO. 2

On page 1, at the end of line 10, delete "of" and at the beginning of line 11, delete "adjustments"

AMENDMENT NO. 3

On page 1, line 14, delete "adjustments to the most recently approved" and insert "a"

AMENDMENT NO. 4

On page 1, at the end of line 17, delete "adjustments and" and on page 2, at the beginning of line 1, delete "the rationale therefor"

AMENDMENT NO. 5

On page 2, line 2, delete "adjustments"

AMENDMENT NO. 6

On page 2, line 3, after "meeting" change the comma " ," to a period "." and delete the remainder of the line

AMENDMENT NO. 7

On page 2, at the beginning of line 5, delete "adjustments"

AMENDMENT NO. 8

On page 2, at the end of line 6, delete "adjustments to"

AMENDMENT NO. 9

On page 2, line 13, delete "the adjustments to"

AMENDMENT NO. 10

On page 4, line 1, delete "the adjustments to"

AMENDMENT NO. 11

On page 4, line 2, delete "adjustments to the"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ivey to Reengrossed Senate Bill No. 70 by Senator Jackson

AMENDMENT NO. 1

On page 1, delete line 17, and on page 2, delete lines 1 through 8 and insert the following:

"legislature is not in session, the board shall submit the proposed formula to the Joint Legislative Committee on the Budget, referred

to in this Section as the "joint committee", the secretary of the Senate, and the clerk of the House of Representatives. Unless the joint committee rejects the formula in accordance with Subsection B of this Section, the clerical officers of the legislature shall submit the formula to the legislature for approval as provided in Subsection C of this Section.

B. The joint committee shall meet not later than ten days after receipt to discuss the formula. The joint committee may reject the formula with a two-thirds vote of the members from each house present and voting, each house voting separately, a quorum of the joint committee being present.

C. If the joint committee does not reject the formula, not sooner than ten and not later than fifteen days after receipt of the formula from the board, the secretary of the Senate and the"

AMENDMENT NO. 2

On page 4, after line 11, insert the following:

"(14) Approval of the formula shall require a majority vote of the members of each house of the legislature."

Speaker Pro Tempore Magee in the Chair

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lyons
Adams	Green	Magee
Bagley	Hilferty	Marcelle
Brass	Hughes	Miller, D.
Brown	Huval	Mincey
Bryant	Ivey	Moore
Carpenter	James	Newell
Carter, G.	Jefferson	Phelps
Carter, R.	Jenkins	Riser
Carter, W.	Johnson, T.	Selders
Cormier	Jones	St. Blanc
Cox	Jordan	Stagni
Duplessis	Kerner	Stefanski
Farnum	LaCombe	Thompson
Freeman	Landry	Wheat
Freiberg	Larvadain	Willard
Total - 48		

NAYS

Amedee	Fontenot	Miller, G.
Bacala	Frieman	Nelson
Beaullieu	Gadberry	Orgeron
Bishop	Garofalo	Owen, C.
Butler	Goudeau	Owen, R.
Carrier	Harris	Pressly
Coussan	Henry	Romero
Crews	Hodges	Schamerhorn
Davis	Horton	Seabaugh
Deshotel	Illg	Tarver
DeVillier	Johnson, M.	Thomas
DuBuisson	Mack	Turner
Echols	McCormick	Villio
Edmonds	McFarland	Wright
Edmonston	McKnight	Zeringue
Emerson	McMahen	
Firment	Miguez	
Total - 49		

ABSENT

Bourriaque	Hollis	Pierre
Dwight	Marino	White
Glover	Muscarello	
Total - 8		

The Chair declared the above bill failed to pass.

Suspension of the Rules

On motion of Rep. Lyons, 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 CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE LYONS

A CONCURRENT RESOLUTION

To create a task force to study and make recommendations for replenishing the unemployment trust fund and increasing the unemployment compensation weekly benefit amount and to submit a written report of its findings and recommendations to the Legislature of Louisiana not later than thirty days prior to the convening of the 2021 Regular Session.

Read by title.

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

Suspension of the Rules

On motion of Rep. Stefanski, 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

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

October 19, 2020

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 1 and 30

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Privileged Report of the Committee on Enrollment

October 19, 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. 14—
BY REPRESENTATIVES ECHOLS, BAGLEY, AND THOMPSON
A RESOLUTION

To urge and request the Louisiana Department of Health to study certain aspects of nonemergency medical transportation provided within the Medicaid managed care program of this state and to report findings from the study to the House Committee on Health and Welfare.

HOUSE RESOLUTION NO. 17—
BY REPRESENTATIVES ECHOLS AND THOMPSON
A RESOLUTION

To urge and request the Louisiana Department of Health and the office of alcohol and tobacco control in the Department of Revenue to grant each bar and restaurant owner and in-state manufacturer a permit extension, at no cost to the owner or manufacturer, for a period equal in duration to the total time that the declared state of public health emergency for COVID-19 is in effect.

HOUSE RESOLUTION NO. 20—
BY REPRESENTATIVE PIERRE
A RESOLUTION

To commend JayVon Muhammed on being chosen by Americares to represent the recipients of the Bob and Leila Macauley Humanitarian Spirit Award because of her dedication to the health of her community.

HOUSE RESOLUTION NO. 22—
BY REPRESENTATIVE HUGHES
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Keith Gregory Barney.

HOUSE RESOLUTION NO. 23—
BY REPRESENTATIVE NEWELL
A RESOLUTION

To express the condolences of the House of Representatives upon the death of George V. Rainey.

HOUSE RESOLUTION NO. 24—
BY REPRESENTATIVE JEFFERSON
A RESOLUTION

To express the condolences of the House of Representatives upon the passing of Annie Ruth Johnson.

Respectfully submitted,

STEPHANIE HILFERTY
Chairwoman

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.

Privileged Report of the Committee on Enrollment

October 19, 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 Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVES SCHEXNAYDER, ADAMS, AMEDEE, BAGLEY, BEAULLIEU, BISHOP, BUTLER, CARRIER, CREWS, DEVILLIER, DESHOTEL, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FIRMENT, FRIEMAN, GAROFALO, HODGES, HORTON, HUVAL, ILLG, MIKE JOHNSON, MAGEE, MCCORMICK, MCFARLAND, MCKNIGHT, MCMAHEN, MIGUEZ, MINCEY, ORGERON, CHARLES OWEN, PRESSLY, RISER, ROMERO, SCHAMERHORN, SEABAUGH, STEFANSKI, TARVER, THOMAS, THOMPSON, VILLO, WHEAT, WRIGHT, AND ZERINGUE AND SENATORS ABRAHAM, ALLAIN, BERNARD, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HENSGENS, HEWITT, LAMBERT, MCMATH, MILLIGAN, FRED MILLS, MIZELL, MORRIS, PEACOCK, POPE, TALBOT, AND WARD
A CONCURRENT RESOLUTION

To memorialize the United States Senate to take such actions as are necessary to confirm President Donald Trump's nomination of Judge Amy Coney Barrett to the United States Supreme Court to fill the seat of the late Justice Ruth Bader Ginsburg.

Respectfully submitted,

STEPHANIE HILFERTY
Chairwoman

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

Privileged Report of the Committee on Enrollment

October 19, 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 Bills have been properly enrolled:

HOUSE BILL NO. 39—
BY REPRESENTATIVE ZERINGUE
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 the agencies and purposes for Fiscal Year 2020-2021; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

STEPHANIE HILFERTY
Chairwoman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Suspension of the Rules

On motion of Rep. Bacala, the rules were suspended to permit the Committee on Administration of Criminal Justice to meet on Tuesday, October 20, 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 No. 100

Suspension of the Rules

On motion of Rep. Bagley, the rules were suspended to permit the Committee on Health and Welfare to meet on Tuesday, October 20, 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. 82 and 99

Leave of Absence

Rep. Marino - 1 day

Adjournment

On motion of Rep. Thompson, at 4:05 P.M., the House agreed to adjourn until Tuesday, October 20, 2020, at 2:00 P.M.

The Speaker Pro Tempore of the House declared the House adjourned until 2:00 P.M., Tuesday, October 20, 2020.

MICHELLE D. FONTENOT
Clerk of the House

