

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

NINETEENTH DAY'S PROCEEDINGS

**Forty-sixth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, May 26, 2020

The House of Representatives was called to order at 1:03 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	McFarland
Adams	Freiberg	McKnight
Amedee	Frieman	McMahen
Bacala	Gadberry	Miguez
Bagley	Gaines	Miller, D.
Beaullieu	Garofalo	Miller, G.
Bishop	Goudeau	Mincey
Bourriague	Green	Moore
Brass	Harris	Muscarello
Brown	Henry	Nelson
Bryant	Hilferty	Newell
Butler	Hodges	Owen, C.
Carpenter	Hollis	Owen, R.
Carrier	Horton	Phelps
Carter, G.	Hughes	Pierre
Carter, R.	Huval	Pressly
Carter, W.	Illg	Riser
Cormier	Ivey	Romero
Coussan	Jefferson	Schamerhorn
Cox	Jenkins	Seabaugh
Crews	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	LaCombe	Thomas
Dwight	Landry	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	Wheat
Emerson	Magee	White
Farnum	Marcelle	Willard

Firment	Marino	Wright
Fontenot	McCormick	Zeringue
Total - 102		

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

Prayer

Prayer was offered by Rep. Farnum.

Pledge of Allegiance

Rep. Selders 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 May 22, 2020, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 26, 2020

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

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

Senate Concurrent Resolution Nos. 63 and 70

Respectfully submitted,

YOLANDA J. DIXON
Secretary of the Senate

Suspension of the Rules

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

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 63—

BY SENATORS JACKSON, ALLAIN, BARROW, BERNARD, BOUIE, CATHEY, CLOUD, CORTEZ, FESI, FIELDS, FOIL, HARRIS, JOHNS, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, PEACOCK, POPE, PRICE, REESE, SMITH, WHITE AND WOMACK

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to create a continuous learning task force to assist the state Department of Education in developing guidance for Louisiana educators to meet the immediate need of supporting learning outside of our normal practices.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 70—
BY SENATOR JOHNS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Dr. Henry Gremillion, DDS, MAGD, Dean of the LSU Health New Orleans School of Dentistry.

Read by title.

On motion of Rep. Dwight, and under a suspension of the rules, the resolution was concurred in.

**Senate Concurrent Resolutions
Lying Over**

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

SENATE CONCURRENT RESOLUTION NO. 62—
BY SENATOR MILLIGAN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education, through the state Department of Education, to develop and implement a traumatic injury response program to ensure that each city, parish, or other local public school in the state is prepared to respond to a traumatic injury emergency.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 69—
BY SENATOR ALLAIN

A CONCURRENT RESOLUTION

To establish the One Call Agricultural Study Group to study the Louisiana Underground Utilities and Facilities Damage Prevention Law as it relates to agriculture and the needs of the agricultural industry and make recommendations in a written report to the Senate Committee on Commerce, Consumer Protection and International Affairs, and the House Committee on Commerce not later than February 1, 2021.

Read by title.

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

Special Order of the Day

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

SPECIAL ORDER NO. 1

HOUSE BILL NO. 307—
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 said agencies and purposes for Fiscal Year 2019-2020; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Zeringue moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freeman	McKnight
Adams	Freiberg	McMahan
Amedee	Frieman	Miguez
Bacala	Gadberry	Miller, D.
Bagley	Gaines	Miller, G.
Beaullieu	Garofalo	Mincey
Bishop	Goudeau	Moore
Bourriaque	Green	Muscarello
Brass	Harris	Nelson
Brown	Henry	Newell
Bryant	Hilferty	Owen, C.
Butler	Hodges	Owen, R.
Carpenter	Hollis	Phelps
Carrier	Horton	Pierre
Carter, G.	Huval	Pressly
Carter, R.	Illg	Riser
Carter, W.	Ivey	Romero
Cormier	Jefferson	Schamerhorn
Coussan	Jenkins	Seabaugh
Cox	Johnson, M.	Selders
Crews	Johnson, T.	St. Blanc
Davis	Jones	Stagni
Deshotel	Jordan	Stefanski
DeVillier	Kerner	Tarver
DuBuisson	Landry	Thomas
Duplessis	Larvadain	Thompson
Dwight	Lyons	Turner
Echols	Mack	Villio
Edmonds	Magee	Wheat
Edmonston	Marcelle	White
Emerson	Marino	Willard
Firment	McCormick	Wright
Fontenot	McFarland	Zeringue
Total - 99		

NAYS

Total - 0

ABSENT

Bagala	Glover	James
Farnum	Hughes	LaCombe
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

SPECIAL ORDER NO. 2

HOUSE BILL NO. 105—
BY REPRESENTATIVE ZERINGUE
AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Zeringue to Engrossed House Bill No. 105 by Representative Zeringue

AMENDMENT NO. 1

On page 32, at the end of line 36, change "Medicaid Law" to "Medicaid Fraud"

AMENDMENT NO. 2

On page 80, at the end of line 11, change "270,517,782" to "271,517,782"

AMENDMENT NO. 3

On page 97, line 14, change "Statutory Dedications" to "Fees and Self-generated Revenues"

AMENDMENT NO. 4

On page 97, line 15, change "Fund" to "Dedicated Fund Account"

AMENDMENT NO. 5

On page 97, line 18, change "Statutory Dedications" to "Fees and Self-generated Revenues"

AMENDMENT NO. 6

On page 97, line 19, change "Fund" to "Dedicated Fund Account"

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

Motion

On motion of Rep. Zeringue, the House resolved itself into a Committee of the Whole House to take into consideration House Bill No. 105.

Chairman Robert Carter in the Chair

House Business Resumed

Speaker Schexnayder in the Chair

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

HOUSE BILL NO. 105—
BY REPRESENTATIVE ZERINGUE
AN ACT

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

Read by title.

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Miguez in the Committee of the Whole House to Engrossed House Bill No. 105 by Representative Zeringue

AMENDMENT NO. 1

On page 2, line 13, after "program that" delete the remainder of the line in its entirety and insert in lieu thereof: "mandates participation by any individual or business entity in the state of Louisiana."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Harris in the Committee of the Whole House to Engrossed House Bill No. 105 by Representative Zeringue

AMENDMENT NO. 1

On page 13, delete lines 6 through 10 in their entirety and insert in lieu thereof:

"Section 21. The governor of Louisiana is hereby authorized, urged, and requested, acting through the commissioner of administration, to instruct all departments and agencies of the executive branch to implement a deficit avoidance plan which shall be in the aggregate amount of at least \$100,000,000. The commissioner of administration shall report monthly to the Joint Legislative Committee on the Budget on the deficit avoidance plan."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Gary Carter and Thompson in the Committee of the Whole House to Engrossed House Bill No. 105 by Representative Zeringue

AMENDMENT NO. 1

On page 23, at the end of line 36, change "11,375,000" to "10,875,000"

AMENDMENT NO. 2

On page 23, between lines 36 and 37, insert the following:

"Payable out of Federal Funds to the Senior Centers Program for a second senior s u p p l e m e n t a l (non-formula) payment	\$ 500,000
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Provided, however, that \$500,000 of the federal funds appropriated herein to the Senior Centers program shall be equally distributed among all parishes."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Kerner in the Committee of the Whole House to Engrossed House Bill No. 105 by Representative Zeringue

AMENDMENT NO. 1

On page 139, between lines 17 and 18 insert:

"Provided, however, that out of the funds allocated under the Parish Transportation Program (R.S. 48:751-756(A)(1)) to Jefferson Parish, the funds shall be allocated directly to the following municipalities in the amounts listed:

Kenner	\$ 206,400
Gretna	\$ 168,000
Westwego	\$ 168,000
Harahan	\$ 168,000
Jean Lafitte	\$ 168,000
Grand Isle	\$ 168,000"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Bagala	Glover	James
Total - 3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

SPECIAL ORDER NO. 3

HOUSE CONCURRENT RESOLUTION NO. 94—

BY REPRESENTATIVE ZERINGUE

A CONCURRENT RESOLUTION

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

Read by title.

Rep. Zeringue moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freiberg	McKnight
Adams	Frieman	McMahon
Amedee	Gadberry	Miguez
Bacala	Gaines	Miller, D.
Bagley	Garofalo	Miller, G.
Beaullieu	Goudeau	Mincey
Bishop	Green	Moore
Brass	Harris	Muscarello
Brown	Henry	Nelson
Bryant	Hilferty	Newell
Butler	Hodges	Owen, C.
Carpenter	Hollis	Owen, R.
Carrier	Horton	Phelps
Carter, G.	Hughes	Pierre
Carter, R.	Huval	Pressly
Carter, W.	Illg	Riser
Cormier	Ivey	Romero
Coussan	Jefferson	Schamerhorn
Cox	Jenkins	Seabaugh
Crews	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	LaCombe	Thomas
Dwight	Landry	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	White
Emerson	Magee	White
Farnum	Marcelle	Willard
Firment	Marino	Wright
Fontenot	McCormick	Zeringue
Freeman	McFarland	
Total - 101		

NAYS

Total - 0

ABSENT

Bagala	Glover
Bourriaque	James
Total - 4	

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

Ordered to the Senate.

SPECIAL ORDER NO. 4

HOUSE BILL NO. 306—

BY REPRESENTATIVE ZERINGUE

AN ACT

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

Read by title.

Rep. Zeringue moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Bagala	Glover
Bryant	James

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

SPECIAL ORDER NO. 5

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

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

Read by title.

Rep. Zeringue moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total - 101

NAYS

Total - 0

ABSENT

Bagala	Glover
Bryant	James

Total - 4

The resolution was adopted.

Ordered to the Senate.

SPECIAL ORDER NO. 6

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

To make the principal amount in the Medicaid Trust Fund for the Elderly available for appropriation for Fiscal Year 2020-2021.

Read by title.

Rep. Marcelle moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

Page 6 HOUSE

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YEAS

Mr. Speaker, Adams, Bagley, Bourriaque, Brass, Brown, Bryant, Carpenter, Carrier, Carter, G., Carter, R., Carter, W., Cormier, Cox, Crews, Davis, Deshotel, Duplessis, Echols, Firment, Freeman, Freiberger, Gadberry, Gaines, Green, Harris, Hilferty, Horton, Hughes, Huval, Jefferson, Jenkins, Johnson, T., Jones, Jordan, LaCombe, Landry, Larvadain, Lyons, Magee, Marcelle, Marino, McFarland, McMahan, Miguez, Miller, D., Miller, G., Mincey, Moore, Newell, Phelps, Pierre, Riser, Selders, Stagni, Stefanski, Thompson, Turner, Wheat, White, Willard, Zeringue

Total - 62

NAYS

Amedee, Bacala, Beaulieu, Bishop, DeVillier, DuBuisson, Edmonds, Edmonston, Emerson, Farnum, Fontenot, Frieman, Garofalo, Goudeau, Henry, Hodges, Hollis, Illg, Ivey, Johnson, M., Mack, McCormick, McKnight, Muscarello, Nelson, Owen, C., Owen, R., Pressly, Romero, Schamerhorn, Seabaugh, Tarver, Thomas, Villio, Wright

Total - 35

ABSENT

Bagala, Butler, Coussan, Dwight, Glover, James, Kerner, St. Blanc

Total - 8

The resolution was adopted.

Ordered to the Senate.

SPECIAL ORDER NO. 7

HOUSE BILL NO. 305— BY REPRESENTATIVE ZERINGUE AN ACT

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

Read by title.

Rep. Zeringue moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker, Adams, Freeman, Freiberger, McFarland, McKnight

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

Total - 102

NAYS

Total - 0

ABSENT

Bagala, Total - 3, Glover, James

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

SPECIAL ORDER NO. 8

HOUSE BILL NO. 717— BY REPRESENTATIVE SCHEXNAYDER AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schexnayder to Engrossed House Bill No. 717 by Representative Schexnayder

AMENDMENT NO. 1

On page 9, line 10, after "Legislative Auditor" change "\$10,093,838" to "\$10,483,708"

AMENDMENT NO. 2

On page 9, line 15, after "fund" change "\$73,431,826" to "\$74,093,881"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Freiberg	McKnight
Adams	Frieman	McMahen
Amedee	Gadberry	Miguez
Bacala	Gaines	Miller, D.
Bagley	Garofalo	Miller, G.
Beaulieu	Goudeau	Mincey
Bishop	Green	Moore
Bourriaque	Harris	Muscarello
Brass	Henry	Nelson
Brown	Hilferty	Newell
Butler	Hodges	Owen, C.
Carpenter	Hollis	Owen, R.
Carrier	Horton	Phelps
Carter, G.	Hughes	Pierre
Carter, R.	Huval	Pressly
Carter, W.	Illg	Riser
Cormier	Ivey	Romero
Coussan	Jefferson	Schamerhorn
Cox	Jenkins	Seabaugh
Crews	Johnson, M.	Selders
Davis	Johnson, T.	St. Blanc
Deshotel	Jones	Stagni
DeVillier	Jordan	Stefanski
DuBuisson	Kerner	Tarver
Duplessis	LaCombe	Thomas
Dwight	Landry	Thompson
Echols	Larvadain	Turner
Edmonds	Lyons	Villio
Edmonston	Mack	Wheat
Emerson	Magee	White
Farnum	Marino	Willard
Firment	McCormick	Wright
Freeman	McFarland	Zeringue
Total - 99		

NAYS

Total - 0

ABSENT

Bagala	Fontenot	James
Bryant	Glover	Marcelle
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

SPECIAL ORDER NO. 9

HOUSE BILL NO. 304—

BY REPRESENTATIVE ZERINGUE AND SENATORS CORTEZ AND WHITE

AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Magee to Engrossed House Bill No. 304 by Representative Zeringue

AMENDMENT NO. 1

On page 14, between lines 2 and 3, insert the following:

"H. In the event sufficient new State General Fund (Direct) revenues become available and are recognized by the Revenue Estimating Conference, the first Three Million One Hundred Thousand and No/100 (\$3,100,000) Dollars shall be payable to the Judicial Budgetary Control Board to fund the judicial pay raises enacted through Act 178 of the 2019 Regular Legislative Session."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Page 8 HOUSE

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Farnum	Marino	Wright
Firment	McCormick	Zeringue
Fontenot	McFarland	
Freeman	McKnight	
Total - 100		

NAYS

Total - 0

ABSENT

Bagala	Glover	Marcelle
Butler	James	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

SPECIAL ORDER NO. 10

HOUSE BILL NO. 681—

BY REPRESENTATIVE ZERINGUE
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2020-2021 and to provide for related matters.

Read by title.

Rep. Zeringue moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Firment	Marino	Zeringue
Fontenot	McCormick	
Total - 98		

NAYS

Total - 0

ABSENT

Bacala	James	St. Blanc
Bagala	Marcelle	
Glover	Schamerhorn	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

SPECIAL ORDER NO. 11

SENATE BILL NO. 189—

BY SENATOR WHITE

AN ACT

To enact Subpart L-1 of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.36, relative to special funds; to create the 2020 Capital Project Fund as a special fund in the state treasury; to provide for the dedication of certain revenues and for the deposit of and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Zeringue gave notice of his intention to call Senate Bill No. 189 from the calendar on Thursday, May 28, 2020.

HOUSE BILL NO. 2—

BY REPRESENTATIVE BISHOP AND SENATOR ALLAIN

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 148—

BY REPRESENTATIVE MIKE JOHNSON

AN ACT

To amend and reenact Code of Civil Procedure Article 76; relative to venue for actions on insurance policies; to provide relative to uninsured motorist policies; to provide for an exception to

specific venue provisions for certain parties; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

Suspension of the Rules

On motion of Rep. Gregory Miller, 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

Civil Law and Procedure

May 26, 2020

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Resolution No. 49, by Carter, Robby
Reported with amendments. (10-0-1)

House Resolution No. 50, by Carter, Robby
Reported with amendments. (10-0-1)

House Bill No. 188, by Goudeau (Joint Resolution)
Reported without amendments. (12-0-1)

Senate Concurrent Resolution No. 57, by Hewitt
Reported favorably. (13-0-1)

Senate Bill No. 418, by Talbot
Reported with amendments. (10-5-1)

Senate Bill No. 472, by Luneau
Reported with amendments. (14-0-1)

Senate Bill No. 489, by McMath
Reported with amendments. (11-0-1)

Senate Bill No. 491, by Hewitt
Reported favorably. (13-0-1)

Senate Bill No. 508, by McMath
Reported favorably. (12-0-1)

GREGORY A. MILLER
Chairman

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

Report of the Committee on

Commerce

May 26, 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 Concurrent Resolution No. 67, by Foil
Reported with amendments. (12-0)

PAULA P. DAVIS
Chairwoman

Report of the Committee on

Ways and Means

May 26, 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. 272, by Abraham (Joint Resolution)
Reported with amendments. (13-0)

Senate Bill No. 334, by Allain
Reported with amendments. (12-0)

Senate Bill No. 396, by Abraham
Reported with amendments. (13-0)

Senate Bill No. 423, by White, B
Reported favorably. (12-2)

STUART J. BISHOP
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 272, were referred to the Legislative Bureau.

Privileged Report of the Legislative Bureau

May 26, 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. 334
Reported without amendments.

Senate Bill No. 396
Reported without amendments.

Senate Bill No. 418
Reported without amendments.

Senate Bill No. 423
Reported without amendments.

Senate Bill No. 472
Reported without amendments.

Senate Bill No. 489
Reported without amendments.

Senate Bill No. 491
Reported without amendments.

Senate Bill No. 508
Reported without amendments.

Respectfully submitted,

DODIE HORTON
Chair

Suspension of the Rules

On motion of Rep. Gregory Miller, 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. 188—

BY REPRESENTATIVE GOUDEAU

A JOINT RESOLUTION

Proposing to amend Article X, Sections 9 and 20 of the Constitution of Louisiana, to authorize certain political activities on behalf of family members by commission members, classified employees, and officers of certain civil service systems; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Gregory Miller 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. 334—

BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 47:1602(A)(4), 1603(A)(1), 1604, 1604.1, and 1624(A)(1) and (2)(b) and to enact R.S. 47:1602(A)(5), 1608, and 1624(F), relative to the Department of Revenue and tax administration; to provide for the funding of the Department of Revenue; to provide for the disposition of certain taxes, penalties, and interest collected by the department; to provide for certain requirements and limitations; to equalize the tax deficiency and refund interest rates; to provide for the calculation of interest on certain overpayments; to provide for penalties for failure to file a tax return; to provide for penalties for fraud, negligence, substantial understatement of tax, and willful disregard of tax laws; to provide for definitions; 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 Re-Engrossed Senate Bill No. 334 by Senator Allain

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "1603(A)(1)," delete "R.S. 47:1602(A)(4)," and insert "R.S. 47:1451, 1602(A)(4),"

AMENDMENT NO. 2

On page 1, line 8, after "overpayments;" and before "to provide" insert "to provide for the waiver of certain penalties by certain collectors;"

AMENDMENT NO. 3

On page 1, at the beginning of line 13, after "Section 1." and before "1603(A)(1)," delete "R.S. 47:1602(A)(4)," and insert "R.S. 47:1451, 1602(A)(4),"

AMENDMENT NO. 4

On page 1, between lines 15 and 16, insert:

"§1451. Waiver of penalties

A. Except as otherwise provided by law, whenever authorized by R.S. 47:1603 or any other provision of law, the state collector ~~determines to may waive or remit the whole or any part of the any penalty provided for failure to file any return at the time it became due, the collector's determination shall be submitted to the board for review. If the board finds that the penalty may properly be waived or remitted pursuant to applicable law, it shall approve the action of the collector. Otherwise the board shall reject the proposal to waive or remit, and it shall then be mandatory upon the collector to assess and collect the penalty taxes administered by the state collector.~~

B. Nothing in this Section shall be construed to expand the jurisdiction of the board to reconsider or review a waiver of penalties or any other discretionary functions of a local collector.

C. Nothing in this Section shall be construed to expand the jurisdiction of the board to reconsider or review the state collector's discretionary functions related to penalties, including the denial of the waiver of any penalty due, provided that nothing in this Section shall constrain the board's jurisdiction in a matter pursuant to R.S. 47:1431 concerning whether a penalty is actually due under the relevant facts and applicable law.

* * *

AMENDMENT NO. 5

On page 1, at the end of line 16, insert a semicolon ";" and insert "penalties related to nonpayment or underpayment"

AMENDMENT NO. 6

On page 3, line 17, after "due" delete the comma "," and delete the remainder of the line in its entirety and delete line 18 in its entirety and insert "to reasonable cause where the taxpayer acted in good faith."

AMENDMENT NO. 7

On page 4, line 27, after "presumed" and before "a" delete "in any instance where" and insert "when"

AMENDMENT NO. 8

On page 4, line 28, before the period "." insert a comma "," and insert "absent a showing of good cause"

AMENDMENT NO. 9

On page 7, line 5, after "Beginning" and before "any" delete "July 1, 2020" and insert "January 1, 2021"

AMENDMENT NO. 10

On page 7, at the beginning of line 6, delete "apply the" and insert "be subject to the provisions concerning"

AMENDMENT NO. 11

On page 7, at the beginning of line 11, delete "the effective date of this Act" and insert "January 1, 2021,"

AMENDMENT NO. 12

On page 7, line 13, after "prior to" and before "should" delete "the effective date of this Act" insert "January 1, 2021,"

AMENDMENT NO. 13

On page 7, between lines 14 and 15, insert the following:

"Section 4. The provisions of this Act amending R.S. 47:1451 and 1603 shall be procedural and interpretive."

AMENDMENT NO. 14

On page 7, delete line 15 in its entirety and insert the following:

"Section 5. This Section and Sections 2, 3, 4, and 6 of this Act shall become effective"

AMENDMENT NO. 15

On page 7, line 19, after "Sections" and before "of this" delete "2, 3, and 5" and insert "2, 3, 4, and 6"

AMENDMENT NO. 16

On page 7, at the beginning of line 21, delete "Section 5." and insert "Section 6."

AMENDMENT NO. 17

On page 7, line 22, after "legislature," and before "this" insert "Section 1 of"

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. 396—
BY SENATOR ABRAHAM

AN ACT

To amend and reenact R.S. 33:9021(8) and (10), and 9022(1) and to enact R.S. 33:2759, relative to ad valorem tax exemptions; to provide for payments in lieu of taxes pursuant to certain cooperative endeavor agreements; to provide relative to procedures for the validity of certain cooperative endeavor agreements; to require cooperative endeavor agreement approval; to provide for limitations and requirements; to provide for definitions; to provide for effectiveness; 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. 396 by Senator Abraham

AMENDMENT NO. 1

On page 3, delete line 9 in its entirety

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. 418—
BY SENATOR TALBOT

AN ACT

To amend and reenact Civil Code Articles 3492 and 3493.10, Code of Civil Procedure Article 1732(1) and R.S. 22:1269 (B), to enact R.S. 9:2800.25, and to repeal R.S. 22:333(E) and R.S. 32:295.1(E), relative to liability; to provide relative to civil liability and to motor vehicle liability coverage; to extend the general prescriptive period for delictual actions involving motor vehicle accidents; to prohibit the court from awarding a plaintiff the amount of medical expenses reduced or paid by a collateral source; to provide relative to collateral source, prescription, jury trials, and jury trial thresholds under certain circumstances; to provide relative to the right of direct action against an insurer; to repeal provisions prohibiting certain evidence regarding the failure to wear safety belts; to require certain annual rate filings with the commissioner of insurance; to provide for a mandatory rate reduction under certain circumstances; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 418 by Senator Talbot

AMENDMENT NO. 1

On page 1, line 3, after "Article" change "1732(1)" to "1732"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "22:333(E) and R.S."

AMENDMENT NO. 3

On page 2, line 6, after "applicability" delete the remainder of the line and delete lines 7 and 8 in their entirety and at the beginning of line 9, delete "Vehicle Safety Responsibility Law by" and insert "thus"

AMENDMENT NO. 4

On page 3, line 4, after "Article" change "1732(1)" to "1732"

AMENDMENT NO. 5

On page 3, delete lines 8 through 26 in their entirety and insert the following:

"(1) A suit brought pursuant to the provisions of Chapter 3 of Title V of Book III of the Civil Code, where the amount of no individual petitioner's cause of action exceeds five thousand dollars exclusive of interest or costs."

(2) A suit, other than one brought pursuant to Chapter 3 of Title V of Book III of the Civil Code, where the amount of no individual petitioner's cause of action exceeds fifty thirty-five thousand dollars exclusive of interest and costs, except as follows:

(a) If an individual petitioner stipulates or otherwise judicially admits sixty days or more prior to trial that the amount of the individual petitioner's cause of action does not exceed fifty thirty-five thousand dollars exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(b) If an individual petitioner stipulates or otherwise judicially admits for the first time less than sixty days prior to trial that the amount of the individual petitioner's cause of action does not exceed fifty thirty-five thousand dollars exclusive of interest and costs, any other party may retain the right to a trial by jury if that party is entitled to a trial by jury pursuant to this Article and has otherwise complied with the procedural requirements for obtaining a trial by jury.

(c) Notwithstanding Subsubparagraphs (a) and (b) of this Subparagraph, if, as a result of a compromise or dismissal of one or more claims or parties which occurs less than sixty days prior to trial, an individual petitioner stipulates or otherwise judicially admits that the amount of the individual petitioner's cause of action does not exceed fifty thirty-five thousand dollars exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(3) A suit on an unconditional obligation to pay a specific sum of money, unless the defense thereto is forgery, fraud, error, want, or failure of consideration.

(4) A summary, executory, probate, partition, mandamus, habeas corpus, quo warranto, injunction, concursus, workers' compensation, emancipation, tutorship, interdiction, curatorship, filiation, annulment of marriage, or divorce proceeding.

(5) A proceeding to determine custody, visitation, alimony, or child support.

(6) A proceeding to review an action by an administrative or municipal body.

(7) All cases where a jury trial is specifically denied by law."

AMENDMENT NO. 6

On page 4, line 9, after "paid" and before "by the" delete "or are owed"

AMENDMENT NO. 7

On page 4, line 15, after "paid" and before "by the" delete "or owed"

AMENDMENT NO. 8

On page 4, line 21, after "concerning" delete the remainder of the line and at the beginning of line 22, delete "contributed as of the date it" and insert the following:

"the following:

(1) Any amount which has been paid from the date of injury through the date the court"

AMENDMENT NO. 9

On page 4, between lines 24 and 25 insert the following:

"(2) The amount the health insurance insurer would have paid if the claimant's medical bills would have been submitted by the

claimant to his health insurance issuer or Medicare or Medicaid provider."

AMENDMENT NO. 10

On page 5, delete lines 11 and 12 in their entirety

AMENDMENT NO. 11

On page 5, at the beginning of line 13 change "(d)" to "(b)"

AMENDMENT NO. 12

On page 5, at the beginning of line 16, change "(e)" to "(c)"

AMENDMENT NO. 13

On page 5, at the beginning of line 18, change "(f)" to "(d)"

AMENDMENT NO. 14

On page 5, between lines 18 and 19 insert the following:

"(2)(a) In a direct action brought against the insurer pursuant to this Subsection, the insured, and not the insurer, shall be the named party in the caption."

AMENDMENT NO. 15

On page 5, at the beginning of line 19, change "(2)" to "(b)"

AMENDMENT NO. 16

On page 5, at the end of line 22, delete "against" and at the beginning of line 23, delete "the insurer alone"

AMENDMENT NO. 17

On page 5, line 24, after "brought" delete the remainder of the line and at the beginning of line 25, delete "insurer" and insert "against the insured"

AMENDMENT NO. 18

On page 6, delete line 9 in its entirety and insert the following:

"Section 6. R.S. 32:295.1(E) is hereby repealed in its entirety."

AMENDMENT NO. 19

On page 6, delete lines 28 and 29 in their entirety and on page 7, delete lines 1 and 2 in their entirety and insert the following:

"Section 9. This Act shall have prospective application only and shall not apply to a cause of action pending prior to January 1, 2021."

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 423— BY SENATOR WHITE AND REPRESENTATIVE EDMONDS AN ACT

To enact Part IX-A of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3076 through 3080,

relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within the city of St. George; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of the city of St. George pursuant to intergovernmental agreement; to create a St. George Transition District as a taxing district to provide monies for essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; 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. 472—
BY SENATOR LUNEAU

AN ACT

To amend and reenact the introductory paragraph of Civil Code Article 3344(A) and to enact R.S. 9:2760 and Chapter 10 of Title 35 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 35:621 through 630, relative to notaries public and commissioners; to provide relative to remote online notarization; to authorize and provide for recordation of certain electronic notarial acts; to authorize a notary public to perform an electronic notarial act under certain circumstances; to provide certain terms, definitions, conditions, requirements, procedures, and effects; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 472 by Senator Luneau

AMENDMENT NO. 1

On page 1, line 8, after "effects;" and before "and" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 7, after line 1, add the following:

"Section 5. This Act shall become effective on February 1, 2022."

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 489—
BY SENATOR MCMATH

AN ACT

To enact R.S. 29:773, to limit the liability of governmental entities which require employees to work during a declared state of emergency; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 489 by Senator McMath

AMENDMENT NO. 1

On page 1, line 3, after "emergency;" and before "and" insert "to provide relative to claims pursuant to the Louisiana Workers' Compensation Law;"

AMENDMENT NO. 2

On page 1, between lines 16 and 17, insert the following:

"B. An employee whose contraction of COVID-19 is determined to be compensable under the Louisiana Workers' Compensation Law shall have no remedy based in tort for such exposure against his employer, joint employer, borrowed employer, statutory employer, any other person or entity listed in R.S. 23:1032(A)(1)(b), and any other person or entity potentially liable pursuant to the Louisiana Workers' Compensation Law unless the exposure was intentional as provided by R.S. 23:1032(B).

C. Notwithstanding the rights of employees as provided by R.S. 23:1032(B), employees who contract COVID-19 and are not covered by the Louisiana Workers' Compensation Law shall have no remedy in tort for such exposure against their employer, joint employer, borrowed employer, statutory employer, any other person or entity listed in R.S. 23:1032(A)(1)(b), and any other person or entity potentially liable pursuant to the Louisiana Workers' Compensation Law unless the exposure was caused by intentional act."

AMENDMENT NO. 3

On page 1, at the beginning of line 17, change "B." to "D."

Reported without amendments by the Legislative Bureau.

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

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

SENATE BILL NO. 491—
BY SENATOR HEWITT

AN ACT

To amend and reenact R.S. 29:735.3.1(A) and to enact R.S. 29:735.3.2, to provide for limitation of liability for rendering disaster relief, recovery services, or products during a declared state of emergency; to provide certain terms, conditions, and requirements; and to provide for related matters.

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.

SENATE BILL NO. 508—
BY SENATOR MCMATH

AN ACT

To enact R.S. 29:773, to limit the liability of restaurants during a declared state of emergency; to provide certain terms, conditions, and definitions; and to provide for related matters.

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.

Privileged Report of the Committee on Enrollment

May 26, 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. 45—
BY REPRESENTATIVE HODGES

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with public postsecondary education management boards, to study issues and compile data relative to faculty at public postsecondary education institutions.

HOUSE CONCURRENT RESOLUTION NO. 76—
BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To urge and request that changes to the carryback provisions of the corporate income tax deduction for net operating losses to mirror the carryback provisions of the net operating loss deduction adopted in the federal CARES Act be included in any proclamation convening an extraordinary session of the legislature in 2020.

HOUSE CONCURRENT RESOLUTION NO. 79—
BY REPRESENTATIVE BISHOP

A CONCURRENT RESOLUTION

To urge and request that changes to the eligibility requirements for participation in the Enterprise Zone incentive to extend eligibility to restaurants and hotels be included in any proclamation convening an extraordinary session of the legislature in 2020.

Respectfully submitted,

STEPHANIE HILFERTY
Chair

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.

Suspension of the Rules

On motion of Rep. Bacala, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on Wednesday, May 27, 2020, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill Nos. 188 and 300

Suspension of the Rules

On motion of Rep. Garofalo, the rules were suspended to permit the Committee on Education to meet on Wednesday, May 27, 2020, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Resolution No. 52

Senate Bill Nos. 318 and 437

Senate Concurrent Resolution Nos. 62 and 63

Suspension of the Rules

On motion of Rep. Ivey, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

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. 868—
BY REPRESENTATIVE IVEY

AN ACT

To amend and reenact Part IV of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, comprised R.S. 24:61 through 75, relative to the continuity of the legislature and its functions during times of attack, emergency, or disaster; to provide for the powers, functions, and duties of legislators and other public officials relative thereto; to provide for the suspension of certain legal and vote requirements, deadlines, and limitations relative thereto; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ivey to Engrossed House Bill No. 868 by Representative Ivey

AMENDMENT NO. 1

On page 5, at the beginning of line 12, after "A." insert "(1)"

AMENDMENT NO. 2

On page 5, between lines 27 and 28, insert the following:

"(2) In the event of an emergency caused by attack, disaster, or public health emergency, the presiding officers of the legislature may convene the legislature in an emergency session without prior notice

if the presiding officers deem it appropriate and necessary to respond to the emergency."

AMENDMENT NO. 3

On page 6, between lines 4 and 5, insert the following:

"C. At a session convened pursuant to Subsection A of this Section or at any session in operation at the inception of an attack or certain declared disasters or public health emergencies, the legislature may enact temporary law by concurrent resolution which shall fix the period of effectiveness which shall not extend beyond one year and sixty days. Such a resolution shall not be subject to deadlines for prefiling, introduction, or final passage; subject matter limitations; committee hearing or report; or gubernatorial veto; however, it shall be subject to the same vote requirements for the passage of that law in the manner provided for in R.S. 24:73."

Rep. Ivey asked for and obtained a division of the question.

On motion of Rep. Ivey, Amendment No. 3 was withdrawn.

On motion of Rep. Ivey of Amendment Nos. 1 and 2 were adopted without objection.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fontenot	McCormick
Adams	Freeman	McKnight
Amedee	Freiberg	Miguez
Bacala	Frieman	Miller, G.
Bagley	Gaines	Mincey
Beaullieu	Garofalo	Moore
Bourriaque	Goudeau	Muscarello
Brass	Green	Nelson
Brown	Hilferty	Owen, C.
Butler	Horton	Owen, R.
Carrier	Hughes	Pierre
Carter, R.	Ivey	Pressly
Carter, W.	Jefferson	Riser
Cormier	Jenkins	Romero
Coussan	Johnson, M.	Seabaugh
Cox	Johnson, T.	St. Blanc
Crews	Jordan	Stefanski
Davis	Kerner	Tarver
Deshotel	LaCombe	Turner
DuBuisson	Landry	Villio
Dwight	Larvadain	Wheat
Echols	Lyons	Willard
Edmonds	Magee	Zeringue
Farnum	Marino	
Total - 71		

NAYS

Edmonston	McFarland	Thompson
Emerson	Schamerhorn	White
Firment	Stagni	Wright
Illg	Thomas	
Total - 11		

ABSENT

Bagala	Glover	Mack
Bishop	Harris	Marcelle
Bryant	Henry	McMahen
Carpenter	Hodges	Miller, D.
Carter, G.	Hollis	Newell

DeVillier	Huval	Phelps
Duplessis	James	Selders
Gadberry	Jones	
Total - 23		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ivey 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.

Adjournment

On motion of Rep. Thompson, at 4:04 P.M., the House agreed to adjourn until Wednesday, May 27, 2020, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Wednesday, May 27, 2020.

MICHELLE D. FONTENOT
Clerk of the House

