

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

EIGHTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Monday, February 20, 2017

The House of Representatives was called to order at 5:12 P.M., by the Honorable Taylor Barras, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Franklin	Leopold
Abraham	Gaines	Lyons
Abramson	Garofalo	Mack
Amedee	Gisclair	Magee
Anders	Glover	Marcelle
Armes	Guinn	Marino
Bacala	Hall	McFarland
Bagley	Harris, J.	Miguez
Bagneris	Harris, L.	Miller, D.
Berthelot	Havard	Miller, G.
Billiot	Hazel	Moreno
Bishop	Henry	Morris, Jay
Bouie	Hensgens	Morris, Jim
Broadwater	Hilferty	Norton
Brown, C.	Hill	Pearson
Brown, T.	Hodges	Pierre
Carmody	Hoffmann	Pope
Carpenter	Hollis	Price
Carter, G.	Horton	Pugh
Carter, R.	Howard	Pylant
Carter, S.	Hunter	Reynolds
Chaney	Huval	Richard
Connick	Ivey	Schexnayder
Coussan	Jackson	Schroder
Cox	James	Seabaugh
Cromer	Jefferson	Shadoin
Danahay	Jenkins	Smith
Davis	Johnson, R.	Stokes
DeVillier	Jones	Talbot
Dwight	Jordan	Thibaut
Edmonds	Landry, N.	Thomas
Emerson	Landry, T.	White

Falconer LeBas Zeringue
Foil Leger
Total - 101

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

Prayer

Prayer was offered by Rep. Edmonds.

Pledge of Allegiance

Rep. Gaines 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. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Hill, the Journal of February 19, 2017, 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. 10—

BY REPRESENTATIVES BARRAS, ROBBY CARTER, LEGER, ABRAHAM, ABRAMSON, AMEDEE, ANDERS, ARMES, BACALA, BAGLEY, BAGNERIS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BROADWATER, CHAD BROWN, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CROMER, DANAHAY, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, FALCONER, FOIL, FRANKLIN, GAINES, GAROFALO, GISCLAIR, GLOVER, GUINN, HALL, JIMMY HARRIS, LANCE HARRIS, HAVARD, HAZEL, HENRY, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HOLLIS, HORTON, HOWARD, HUNTER, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JENKINS, ROBERT JOHNSON, JONES, JORDAN, NANCY LANDRY, TERRY LANDRY, LEBAS, LEOPOLD, LYONS, MACK, MAGEE, MARCELLE, MARINO, MCFARLAND, MIGUEZ, DUSTIN MILLER, GREGORY MILLER, MORENO, JAY MORRIS, JIM MORRIS, NORTON, PEARSON, PIERRE, POPE, PRICE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SCHRODER, SEABAUGH, SHADOIN, SIMON, SMITH, STOKES, TALBOT, THIBAUT, THOMAS, WHITE, AND ZERINGUE

A RESOLUTION

To commend and express appreciation to Ben W. Nevers, Sr., of Bogalusa upon his retirement as chief of staff of the governor of Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 11—

BY REPRESENTATIVES TERRY LANDRY, PIERRE, AND DUSTIN MILLER

A RESOLUTION

To express sincere and heartfelt condolences upon the death of former state legislator Armand Brinkhaus.

Read by title.

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

HOUSE RESOLUTION NO. 12—

BY REPRESENTATIVES GLOVER AND JENKINS

A RESOLUTION

To express the condolences of the House of Representatives upon the death of George Wilson.

Read by title.

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

HOUSE RESOLUTION NO. 13—

BY REPRESENTATIVE DANAHAY

A RESOLUTION

To commend TeamCITGO upon the occasion of its thirtieth anniversary.

Read by title.

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

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on House and Governmental Affairs

February 20, 2017

To the Speaker and Members of the House of Representatives:

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

House Resolution No. 1, by Bishop, S. Reported favorably. (7-0)

MICHAEL E. DANAHAY
Chairman

Suspension of the Rules

On motion of Rep. Bishop, the rules were suspended in order to take up and consider House Resolution No. 1 contained in the message 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 RESOLUTION NO. 1—

BY REPRESENTATIVES BISHOP, HOFFMANN, COX, HUNTER, AND JACKSON

A RESOLUTION

To amend and readopt House Rule 6.6(M)(20) and to adopt House Rule 6.6(G)(18) of the Rules of Order of the House of Representatives to provide relative to standing committee jurisdiction over matters regarding drinking water standards and water resources.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Suspension of the Rules

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

Senate Concurrent Resolutions Lying Over

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

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATORS ALARIO, BARROW, CHABERT, JOHNS, LAFLEUR, LONG AND MORRISH

A CONCURRENT RESOLUTION

To make available for appropriation from the Budget Stabilization Fund the sum of \$99,000,000, an amount not to exceed the projected deficit, due to the reduction of the Fiscal Year 2016-2017 official forecast in the amount of \$340.5 million as adopted by the Revenue Estimating Conference at its meeting on January 13, 2017, resulting in the second mid-year deficit for the current fiscal year, and presented to and recognized by the Joint Legislative Committee on the Budget at its meeting on January 27, 2017.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 13—

BY SENATOR JOHNS AND REPRESENTATIVE DWIGHT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Anne Louise Hance Guidry.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATOR ALARIO AND REPRESENTATIVE BILLIOT

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the passing of retired Jefferson Parish Justice of the Peace, Eugene Fitchue.

Read by title.

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

Reconsideration

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

HOUSE BILL NO. 8—

BY REPRESENTATIVES EDMONDS, BACALA, BERTHELOT, PYLANT, AND RICHARD

AN ACT

To appropriate funds and to make and otherwise provide for certain reductions in appropriations 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 the 2016-2017 Fiscal Year; to provide for an effective date; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments to be concurred in by the House were taken up and acted upon as follows:

HOUSE BILL NO. 3—

BY REPRESENTATIVE HENRY

AN ACT

To appropriate funds and to make and otherwise provide for certain reductions in appropriations 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 the 2016-2017 Fiscal Year; to provide for an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Claitor to Reengrossed House Bill No. 3 by Representative Henry

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 11 proposed by Senator LaFleur and adopted by the Senate on February 19, 2017.

AMENDMENT NO. 2

On page 3, line 8, delete "State Activities and"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Reengrossed House Bill No. 3 by Representative Henry

AMENDMENT NO. 1

On page 2, delete lines 7 through 17

AMENDMENT NO. 2

On page 2, line 26, delete "\$128,635,262" and insert "\$120,336,181"

AMENDMENT NO. 3

On page 2, line 27, delete "\$1,286,432" and insert "\$442,533"

AMENDMENT NO. 4

On page 2, line 33, delete "\$2,074,393" and insert "\$367,027"

AMENDMENT NO. 5

On page 2, line 34, delete "\$3,901,363" and insert "\$2,874,339"

AMENDMENT NO. 6

On page 2, line 35, delete "\$1,246,816" and insert "\$742,501"

AMENDMENT NO. 7

On page 2, delete lines 40 and 41, and insert the following:

"reduce the payments for waiver services and Applied Behavioral Analysis rates.

Provided, further, that of the reductions to Schedule 09-306 Medical Vendor Payments authorized herein any reductions in payments to rural hospitals or public private partnership hospitals implemented by the department shall be applied to both hospital groups at the rate of 0.99% of the total of such payments to that group of hospitals."

AMENDMENT NO. 8

On page 2, line 43, delete "\$21,224" and insert "\$12,500"

AMENDMENT NO. 9

On page 3, delete line 2

AMENDMENT NO. 10

On page 3, delete line 6

AMENDMENT NO. 11

On page 3, delete lines 8 through 13

AMENDMENT NO. 12

On page 3, delete lines 19 through 26

AMENDMENT NO. 13

On page 4, between lines 21 and 22, insert the following:

"05-252 Office of Business Development out of the Marketing Fund by (\$100,000)"

AMENDMENT NO. 14

On page 5, line 24, delete "\$947,258" and insert "\$672,257"

AMENDMENT NO. 15

On page 5, delete lines 25 and 26

AMENDMENT NO. 16

On page 5, between lines 37 and 38, insert the following:

"Department of Wildlife and Fisheries

16-514 Office of Fisheries out of the Artificial Reef Development Fund by (\$383,975)"

AMENDMENT NO. 17

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

"Executive Department

01-124 Louisiana Stadium and Exposition District by (\$200,000)"

AMENDMENT NO. 18

On page 6, delete lines 14 through 16

AMENDMENT NO. 19

On page 6, line 17, delete "Section 1.F." and insert "Section 1.E."

AMENDMENT NO. 20

On page 6, line 18, after "General Fund" delete the remainder of the line and insert the following:

"(Direct), fees and self-generated revenues, and statutory dedications contained in Act 17 of the 2016"

AMENDMENT NO. 21

On page 6, at the end of line 20, delete "\$17,168,329." and insert "\$10,000,000. In the event such savings cannot be realized, the

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commissioner of administration is hereby authorized and directed to reduce appropriations to achieve such savings."

AMENDMENT NO. 22

On page 6, line 21, delete "Section 1.G." and insert "Section 1.F."

AMENDMENT NO. 23

On page 7, line 36, delete "\$1,585,468" and insert "\$835,468"

AMENDMENT NO. 24

On page 10, between lines 12 and 13, insert the following:

"Section 2.D. The appropriation for the Department of Justice contained in Section 3 of Act No. 17 of the 2016 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

"On page 31, between lines 1 and 2, insert the following:

Notwithstanding any other provision of law to the contrary, the attorney general shall remit \$2,000,000 from the Attorney General's Consumer Support Escrow Account to the state treasurer for deposit into the state general fund."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Reengrossed House Bill No. 3 by Representative Henry

AMENDMENT NO. 1

On page 3, lines 9 and 10, change "Louisiana Student Scholarship for Excellence in Education Program" to "Louisiana Student Scholarships for Educational Excellence Program"

AMENDMENT NO. 2

On page 5, line 44, change "(13)" to "(26)"

Rep. Henry moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lyons
Abraham	Garofalo	Mack
Abramson	Gisclair	Magee
Amedee	Glover	Marcelle
Anders	Guinn	Marino
Armes	Hall	McFarland
Bacala	Harris, J.	Miguez
Bagley	Harris, L.	Miller, D.
Berthelot	Havard	Miller, G.
Billiot	Hazel	Moreno
Bishop	Henry	Morris, Jay
Bouie	Hensgens	Morris, Jim
Broadwater	Hilferty	Norton
Brown, C.	Hill	Pearson
Brown, T.	Hodges	Pierre
Carmody	Hoffmann	Pope
Carpenter	Hollis	Price
Carter, G.	Horton	Pugh
Carter, R.	Howard	Pylant
Carter, S.	Hunter	Reynolds
Chaney	Huval	Richard
Connick	Jackson	Schexnayder

Coussan	James	Schroder
Cromer	Jefferson	Seabaugh
Danahay	Jenkins	Shadoin
Davis	Johnson, R.	Smith
DeVillier	Jones	Stokes
Dwight	Jordan	Talbot
Edmonds	Landry, N.	Thibaut
Emerson	Landry, T.	Thomas
Falconer	LeBas	White
Foil	Leger	Zeringue
Franklin	Leopold	

Total - 98

NAYS

Cox
Total - 1

ABSENT

Bagneris Ivey Simon
Total - 3

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

Suspension of the Rules

On motion of Rep. McFarland, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

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 CONCURRENT RESOLUTION NO. 2— BY REPRESENTATIVES MCFARLAND AND ABRAHAM A CONCURRENT RESOLUTION

To make available for appropriation from the Budget Stabilization Fund the sum of \$74,645,508, due to the reduction of the Fiscal Year 2016-2017 official forecast in the amount of \$340.5 Million as adopted by the Revenue Estimating Conference at its meeting on January 13, 2017, resulting in the second mid-year deficit for the current fiscal year, and presented to and recognized by the Joint Legislative Committee on the Budget at its meeting on January 27, 2017.

Called from the calendar.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. McFarland gave notice of his intention to call House Concurrent Resolution No. 2 from the calendar on Tuesday, February 21, 2017.

Suspension of the Rules

On motion of Rep. Henry, the rules were suspended to permit the Committee on Appropriations to meet on Tuesday, February 21, 2017, at 10:00 A.M. or upon adjournment of the Senate Finance

Committee, and consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

Senate Concurrent Resolution No. 2

Privileged Report of the Committee on Enrollment

February 20, 2017

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. 9—
BY REPRESENTATIVE PRICE

A RESOLUTION

To commend the Ascension Alumnae Chapter of Delta Sigma Theta Sorority, Incorporated, upon the celebration of its Founders' Day.

Respectfully submitted,

CHRIS HAZEL
Chairman

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

February 20, 2017

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. 4—
BY REPRESENTATIVE ZERINGUE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to recognize that the Louisiana coastal area as an area in crisis and to enact federal regulatory reform and disaster recovery regulations that minimize delays in the processes by which the state of Louisiana responds to the crises that we face as a result of coastal land loss and natural disasters.

Respectfully submitted,

CHRIS HAZEL
Chairman

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.

Adjournment

On motion of Rep. Billiot, at 5:29 P.M., the House agreed to adjourn until Tuesday, February 21, 2017, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Tuesday, February 21, 2017.

ALFRED W. SPEER
Clerk of the House

