

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

SECOND DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, February 20, 2018

The House of Representatives was called to order at 4:10 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	Falconer	Leopold
Abraham	Foil	Lyons
Abramson	Franklin	Mack
Amedee	Gaines	Magee
Anders	Garofalo	Marcelle
Armes	Gisclair	Marino
Bacala	Glover	McFarland
Bagley	Guinn	Miguez
Bagneris	Hall	Miller, D.
Berthelot	Harris, J.	Miller, G.
Billiot	Harris, L.	Morris, Jay
Bishop	Havard	Morris, Jim
Bouie	Hazel	Norton
Brass	Hensgens	Pearson
Broadwater	Hilferty	Pierre
Brown, C.	Hill	Pope
Brown, T.	Hoffmann	Pugh
Carmody	Horton	Reynolds
Carpenter	Howard	Richard
Carter, G.	Hunter	Schexnayder
Carter, R.	Huval	Seabaugh
Carter, S.	Ivey	Shadoin
Chaney	Jackson	Simon
Connick	James	Smith
Coussan	Jefferson	Stagni
Cox	Jenkins	Stefanski
Crews	Johnson	Stokes
Danahay	Jones	Thibaut
Davis	Jordan	Thomas
DeVillier	Landry, N.	Wright
Dwight	Landry, T.	Zeringue
Edmonds	LeBas	
Emerson	Leger	

Total - 97

The Speaker announced that there were 97 members present and a quorum.

Prayer

Prayer was offered by Rep. Broadwater.

Pledge of Allegiance

Rep. Magee 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, 2018, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

February 19, 2018

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

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

House Concurrent Resolution No. 3
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**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. 2—

BY REPRESENTATIVE BAGLEY
A RESOLUTION

To commend the Sabine Parish school system for its many outstanding accomplishments in the 2016-2017 school year.

Read by title.

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

HOUSE RESOLUTION NO. 3—

BY REPRESENTATIVE BILLIOT
A RESOLUTION

To commend Pastor Donald R. Jones for his outstanding accomplishments and achievements as a business and spiritual leader in Jefferson Parish.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE CARMODY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences of the legislature upon the death of former state legislator Dr. B.L. "Buddy" Shaw and to record his many contributions and achievements.

Read by title.

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

Ordered to the Senate.

House Bills and Joint Resolutions on Second Reading to be Referred

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

HOUSE BILL NO. 6—

BY REPRESENTATIVE MCFARLAND
AN ACT

To enact Part XIV of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:460.101 through 460.106, relative to the medical assistance program of this state known commonly as Medicaid; to provide for duties and responsibilities of the Louisiana Department of Health in administering the Medicaid program; to provide legislative findings relative to Medicaid; to establish a health insurance premium payment program to pay certain costs associated with private health insurance for Medicaid enrollees; to provide relative to the federal requirement that a Medicaid recipient, as a condition of Medicaid eligibility and subject to certain limitations, enroll in a cost-effective group health insurance plan; to stipulate that a person's continued eligibility for the health insurance premium payment program shall be contingent upon his ongoing eligibility for Medicaid; to provide for promulgation of administrative rules; and to provide for related matters.

Read by title.

Motion

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

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on
Appropriations

February 20, 2018

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. 2, by Barras
Reported favorably. (19-0)

House Bill No. 12, by Barras
Reported favorably. (18-0)

House Bill No. 15, by Barras (Joint Resolution)
Reported with amendments. (18-0)

House Bill No. 29, by Barras
Reported favorably. (19-0)

CAMERON HENRY
Chairman

Suspension of the Rules

Rep. Foil moved to suspend the rules to take up House Bills and Joint Resolutions contained in the report at this time, which motion was agreed to.

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 CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVE BARRAS

A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for Fiscal Year 2018-2019.

Read by title.

Reported favorably by the Committee on Appropriations.

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

HOUSE BILL NO. 12—

BY REPRESENTATIVE BARRAS

AN ACT

To amend and reenact R.S. 39:33.1(A) through (C) and to repeal R.S. 39:94(A)(1), relative to the expenditure limit; to provide for submission of the expenditure limit to the legislature; to provide for the base for determining the expenditure limit; to cap the annual growth of the expenditure limit; to provide for the calculation of the growth factor; to change the uses of money in excess of the expenditure limit; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

HOUSE BILL NO. 15—

BY REPRESENTATIVE BARRAS

A JOINT RESOLUTION

Proposing to amend and reenact Article VII, Section 10(C)(1) of the Constitution of Louisiana and to repeal Article VII, Section 10.3(A)(1) of the Constitution of Louisiana, relative to the expenditure limit; to change the method of determining the expenditure limit; to provide for the determination of the growth factor of the expenditure limit; to cap the growth of the expenditure limit; to eliminate required uses of monies in excess of the expenditure limit; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 28, after "law" delete "change"

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

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

HOUSE BILL NO. 29—

BY REPRESENTATIVE BARRAS

AN ACT

To amend and reenact R.S. 39:6(C) and to enact Subpart F of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:89.1 through 89.3, relative to state expenditure reporting; to provide for the duties of the commissioner; to provide for the establishment and maintenance of the Louisiana Checkbook as a government fiscal transparency website; to provide for the information to be included on the website; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Appropriations.

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

Privileged Report of the Committee on Enrollment

February 20, 2018

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. 1—

BY REPRESENTATIVE MORENO

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Judge Peter Beer.

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.

Suspension of the Rules

On motion of Rep. Hoffmann, the rules were suspended to permit the Committee on Health and Welfare to meet on Thursday, February 22, 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. 11

Suspension of the Rules

On motion of Rep. Jim Morris, the rules were suspended to permit the Committee on Ways and Means to consider the following legislative instruments without giving the notice required by House Rule 14.24(A):

House Bill Nos. 7, 8, 9, 10, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28

Leave of Absence

Rep. Hodges - 2 days

Adjournment

On motion of Rep. Billiot, at 4:33 P.M., the House agreed to adjourn until Wednesday, February 21, 2018, at 3:00 P.M.

The Speaker of the House declared the House adjourned until 3:00 P.M., Wednesday, February 21, 2018.

ALFRED W. SPEER
Clerk of the House

Committee Meeting Notices

The following committees posted notices as follows:

Committee on Health and Welfare

Will meet at: 9:00 a.m. Date: Wednesday, February 21, 2018

Location: Committee Room 5

MEETING IS CANCELLED

FRANK A. HOFFMANN
Chairman

Committee on Health and Welfare

Will meet at: 11:00 a.m. Date: Thursday, February 22, 2018

Location: Committee Room 6

Remarks:

HB 2 BACALA MEDICAID Provides for Medicaid eligibility determination functions and Medicaid fraud detection and prevention (Items #14 and 15)

HB 3 HOFFMANN MEDICAID Provides for a work and community engagement initiative within the Medicaid program (Item #13)

HB 4 MCFARLAND MEDICAID Makes Medicaid eligibility for certain enrollees contingent upon premium payments (Item #16)

HB 11 MCFARLAND (TBA) MEDICAID Provides for copayment requirements in the La. Medicaid program (Item #16) (Subject to Rule Suspension)

FRANK A. HOFFMANN
Chairman

Committee on Ways and Means

Will meet at: 9:30 a.m. Date: Wednesday, February 21, 2018

Location: Committee Room 6

Remarks:

- HB 7 JAMES TAX/INCOME TAX** Reduces the amount of the individual income tax deduction for excess federal itemized personal deductions (Item #6)
- HB 8 LEGER TAX/INCOME TAX** Reduces the amount of the individual income tax deduction for excess federal itemized personal deductions (Item #6)
- HB 9 LEGER TAX/INCOME TAX** Compresses the middle and upper individual income tax brackets and reduces the amount of the individual income tax deduction for excess federal itemized personal deductions (Items # 1 and 6)
- HB 10 JAMES TAX/INCOME TAX** Modifies the term "federal income tax liability" to include certain federal net disaster losses (Item #9)
- HB 13 SHADOIN TAX/INCOME TAX** Changes the middle and upper income tax brackets for purposes of calculating individual income tax and reduces the amount of the deduction for excess federal itemized personal deductions (Items #1 & 6)
- HB 14 LEGER TAX CREDITS** Provides relative to the individual income tax credit for taxes paid to other states (Item #5)
- HB 16 LEGER TAX/TAX REBATES** Reduces the amount of the rebate for the Competitive Projects Payroll Incentive Program and provide for continued effectiveness of reductions in the amount of certain rebates (Item #4)
- HB 17 DWIGHT TAX/SALES-USE, STATE** Provide for the applicability of certain exclusions and exemptions to state sales and use taxes (Item #7)
- HB 18 HAVARD TAX/SALES-USE, STATE** Provides for the applicability of certain exclusions and exemptions to the state sales and use tax (Item #7)
- HB 19 LEGER TAX/SALES & USE** Provides with respect to taxation of the sales of certain services (Item #2)
- HB 20 HAVARD TAX/SALES-USE, STATE** Provides relative to the base of the state sales and use tax and to provide for the applicability of certain exclusions and exemptions (Item #7)
- HB 21 LEGER TAX/CORP INCOME** Reduces the amount of certain corporate income tax deductions and provides for continued effectiveness of reductions to certain corporate income tax deductions and exclusions (Item #4)
- HB 22 SHADOIN TAX/CORP INCOME** Reduces the amount of certain corporate income tax deductions and provides for continued effectiveness of reductions to certain corporate income tax deductions and exclusions (Item #4)
- HB 23 DWIGHT TAX/SALES-USE, STATE** Provides with respect to the rate and base of the state sales and use tax (Item #7)
- HB 24 SMITH, P. TAX/SALES-USE, STATE** Repeals the state sales tax holidays (Item #7)

- HB 25 MORRIS, JAY TAX/SALES-USE-EXEMPT** Removes the July 1, 2018, sunset date with respect to the applicability of certain exclusions and exemptions from state sales and use tax making the effectiveness of the exclusions and exemptions permanent (Item #7)
- HB 26 DWIGHT TAX/SALES-USE, STATE** Provides with respect to the state sales and use tax rate (Item #7)
- HB 27 SMITH, P. TAX** Increases the tax on certain telecommunication devices and services (Item #10)
- HB 28 SMITH, P. TAX** Increases the tax on certain telecommunication devices and services and levies a tax on prepaid mobile devices and prepaid mobile device cards (Item #10)

JAMES H. "JIM" MORRIS
Vice Chairman

CANCELLED

NOTICE OF JOINT COMMITTEE MEETING

TO: Members of the House Committee on Transportation, Highways and Public Works and members of the Senate Committee on Transportation, Highways and Public Works

FROM: Alfred W. Speer

The meeting of the House Committee on Transportation, Highways and Public Works chaired by Representative Kenneth E. Havard and members of the Senate Committee on Transportation, Highways and Public Works chaired by Senator Page Cortez has been cancelled:

DATE: Wednesday, February 21, 2018

TIME: 10:00 a.m.

PLACE: John J. Hainkel, Jr. Room

PURPOSE: Review and receive public input regarding the Fiscal Year 2018-2019 Airport Construction and Development Priority Program

Review and receive public input regarding the Fiscal Year 2018-2019 Statewide Flood Control Priority Program

Review and receive public input regarding the Fiscal Year 2018-2019 Port Construction and Development Priority Program