

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

NINTH 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

Friday, March 2, 2018

The House of Representatives was called to order at 10:22 A.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	Gaines	Lyons
Abraham	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
Brass	Hilferty	Norton
Brown, C.	Hill	Pearson
Brown, T.	Hodges	Pierre
Carmody	Hoffmann	Pope
Carpenter	Hollis	Pugh
Carter, G.	Horton	Reynolds
Carter, R.	Howard	Richard
Carter, S.	Hunter	Schexnayder
Chaney	Huval	Seabaugh
Connick	Ivey	Shadoin
Coussan	Jackson	Simon
Cox	James	Smith
Crews	Jefferson	Stagni
Danahay	Jenkins	Stefanski
Davis	Johnson	Stokes
DeVillier	Jones	Talbot
Dwight	Jordan	Thibaut
Edmonds	Landry, N.	Thomas
Emerson	Landry, T.	White
Falconer	LeBas	Wright
Foil	Leger	Zeringue

Franklin
Total - 101

Leopold

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

Prayer

Prayer was offered by Rep. Norton.

Pledge of Allegiance

Rep. Emerson 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 March 1, 2018, was adopted.

**Petitions, Memorials, and
Communications**

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

Louisiana House of Representatives

December 15, 2017

Rep. Taylor Barras
Speaker of the House of Representatives
State Capitol Building
P.O. Box 94062
Baton Rouge, LA 70804

RE: District 86 Resignation

Dear Mr. Speaker:

It has been an honor and a privilege to have served the people of District 86 in the Louisiana House of Representatives. I am extremely proud of the work I have done on their behalf and the successes we have achieved through working together in the legislature. However, the greatest jobs I have ever had have been that of father to my four precious daughters and husband to my amazing wife. As you are well aware, our service results in our often being absent from those responsibilities. With that in mind, it has become apparent to me that what is in the best interest of my family, at this time, is for me to refocus my attention to my responsibilities at home. For this reason, I respectfully tender to you my resignation from the Louisiana House of Representatives, District 86, effective no later than March 1, 2018. I have selected this date to ensure that my district will have representation in the event that a Special Legislative Session is called during the month of February of 2018. However, in the event my successor is elected prior to that date, or in the event there will be no special session in February of 2018, it will be my intent to make my resignation effective at an earlier date.

I would also respectfully request that you consider issuing the call for a special election at the earliest available date in order to ensure that my successor is seated in time to fully participate in the 2018 Regular Legislative Session and provide representation to the good people of District 86.

Again, it has been an honor to have served with you and the rest of my colleagues. While I have been blessed to have served in this capacity for the last six years, and to have developed life long relationships with so many good hearted public servants and staff members in the legislature, my family is my dearest treasure and must receive my undivided attention at this time. May God richly bless you and my colleagues in the days to come and may He grant you wisdom as you lead Louisiana forward.

With kind personal regards, I remain

Yours very truly,

CHRIS BROADWATER
State Representative, District 86

**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. 10—

BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 47:293(4)(d), relative to individual income tax; to define federal income tax liability for purposes of calculating individual income tax liability; to require certain federal disaster losses to be included in the calculation of federal income tax liability; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 24—

BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 47:305.62(A) and (B) and to repeal R.S. 47:305.54 and 305.58, relative to sales and use taxes, to provide with respect to certain state sales and use tax holidays; to provide with respect to the scope and limits of certain sales and use tax holidays; to repeal certain state sales and use tax holidays; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 27—

BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 47:1061(A)(1), relative to telecommunication taxes; to provide with respect to the rate of the tax levied on certain telecommunications devices and services; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	LeBas
Abraham	Franklin	Leger
Amedee	Gaines	Leopold
Anders	Gisclair	Lyons
Armes	Glover	Magee
Bacala	Guinn	Marcelle
Bagley	Hall	Marino

Bagneris
Berthelot
Billiot
Bouie
Brass
Brown, C.
Brown, T.
Carpenter
Carter, G.
Carter, R.
Carter, S.
Chaney
Connick
Cox
Danahay
Davis
Dwight
Falconer

Total - 75

Harris, J.
Harris, L.
Havard
Hazel
Hensgens
Hilferty
Hill
Hoffmann
Hollis
Howard
Ivey
Jackson
Jefferson
Jenkins
Jones
Jordan
Landry, N.
Landry, T.

McFarland
Miller, G.
Morris, Jay
Morris, Jim
Norton
Pearson
Pierre
Pope
Pugh
Reynolds
Richard
Schexnayder
Shadoin
Smith
Stagni
Thibaut
White
Zeringue

NAYS

Bishop
Carmody
Coussan
Crews
DeVillier
Edmonds

Total - 18

Emerson
Garofalo
Hodges
Horton
Huval
Mack

Miguez
Seabaugh
Simon
Stefanski
Talbot
Wright

ABSENT

Abramson
Cromer
Henry
Hunter

Total - 11

James
Johnson
Miller, D.
Moreno

Pylant
Stokes
Thomas

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

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

Consent to Correct a Vote Record

Rep. Marcelle requested the House consent to record her vote on final passage of House Bill No. 27 as yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Stagni requested the House consent to record his vote on final passage of House Bill No. 27 as yea, which consent was unanimously granted.

HOUSE BILL NO. 28—

BY REPRESENTATIVE SMITH
AN ACT

To amend and reenact R.S. 47:1061(A)(1) and (2), relative to telecommunication taxes; to levy a tax on certain mobile devices and mobile device cards; to provide for collection and remittance of the tax; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 2—

BY REPRESENTATIVES BACALA, AMEDEE, BERTHELOT, EDMONDS, FALCONER, MCFARLAND, MIGUEZ, SCHEXNAYDER, TALBOT, AND THOMAS

AN ACT

To enact R.S. 24:513(P), R.S. 36:254(A)(6)(c) and (d), Subpart D-2 of Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:440.9.1 through 440.9.4, and R.S. 47:1508(B)(42) and (D), relative to Medicaid program integrity; to provide relative to the eligibility determination functions of the Louisiana Medicaid program; to provide for duties of the secretary of the Louisiana Department of Health in administering the Medicaid program; to authorize the Louisiana Department of Revenue to share state income tax return data with the Louisiana Department of Health and the legislative auditor for certain limited purposes; to require the Louisiana Department of Health to utilize such data in the Medicaid eligibility determination process; to authorize the legislative auditor to utilize such data for purposes of Medicaid fraud detection and prevention; to provide for interagency agreements relative to sharing of data; to provide for implementation of certain functions prescribed by the Medical Assistance Programs Integrity Law; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bacala to Engrossed House Bill No. 2 by Representative Bacala

AMENDMENT NO. 1

On page 3, line 10, delete "one half" and insert in lieu thereof "one-half"

AMENDMENT NO. 2

On page 3, line 21, delete "over" and insert in lieu thereof "more than"

AMENDMENT NO. 3

On page 5, line 19, delete "self-attested" and insert in lieu thereof "electronically reported"

AMENDMENT NO. 4

On page 5, line 20, delete "electronically reported" and insert in lieu thereof "self-attested"

AMENDMENT NO. 5

On page 6, at the end of line 16, insert "the"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Emerson	Magee
Abraham	Falconer	McFarland
Amedee	Foil	Miguez
Armes	Garofalo	Miller, G.

Bacala	Gisclair	Morris, Jay
Bagley	Guinn	Morris, Jim
Berthelot	Harris, L.	Pearson
Billiot	Havard	Pope
Bishop	Hazel	Pugh
Brown, C.	Henry	Richard
Brown, T.	Hensgens	Schexnayder
Carmody	Hilferty	Seabaugh
Carter, R.	Hill	Shadoin
Carter, S.	Hodges	Simon
Chaney	Hoffmann	Stagni
Connick	Hollis	Stefanski
Coussan	Horton	Stokes
Crews	Howard	Talbot
Cromer	Huval	Thibaut
Danahay	Ivey	Thomas
Davis	Jones	White
DeVillier	Landry, N.	Wright
Dwight	Leopold	Zeringue
Edmonds	Mack	
Total - 71		

NAYS

Anders	Harris, J.	Lyons
Bagneris	Hunter	Marcelle
Bouie	Jackson	Marino
Brass	James	Miller, D.
Carpenter	Jefferson	Moreno
Carter, G.	Jenkins	Norton
Cox	Johnson	Pierre
Franklin	Jordan	Reynolds
Gaines	Landry, T.	Smith
Glover	LeBas	
Hall	Leger	
Total - 31		

ABSENT

Abramson	Pylant
Total - 2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Bacala 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. 3—

BY REPRESENTATIVE HOFFMANN
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 460.107, relative to the medical assistance program of this state known as Medicaid; to establish a work and community engagement initiative within the state Medicaid program; to provide for applicability of and exemptions from Medicaid work and community engagement requirements; to provide for duties of the secretary of the Louisiana Department of Health in administering the Medicaid work and community engagement initiative; to require submission to the federal Medicaid agency of an application to administer the initiative; to provide for administrative rulemaking; and to provide for related matters.

Read by title.

Rep. Hoffmann moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

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YEAS

Mr. Speaker Emerson Magee
Abraham Falconer Marino
Amedee Foil McFarland
Arnes Garofalo Miguez
Bacala Gisclair Miller, G.
Bagley Guinn Morris, Jay
Berthelot Harris, L. Morris, Jim
Billiot Havard Pearson
Bishop Hazel Pope
Brown, C. Henry Pugh
Brown, T. Hensgens Richard
Carmody Hilferty Schexnayder
Carter, S. Hill Seabaugh
Chaney Hodges Shadoin
Connick Hoffmann Simon
Coussan Hollis Stagni
Crews Horton Stefanski
Cromer Howard Stokes
Danahay Huval Talbot
Davis Ivey Thomas
DeVillier Landry, N. White
Dwight Leopold Wright
Edmonds Mack Zeringue
Total - 69

NAYS

Anders Hall Leger
Bagneris Harris, J. Lyons
Bouie Hunter Marcelle
Brass Jackson Miller, D.
Carpenter James Moreno
Carter, G. Jefferson Norton
Cox Jenkins Pierre
Franklin Johnson Reynolds
Gaines Jordan Smith
Glover Landry, T.
Total - 29

ABSENT

Abramson Jones Pylant
Carter, R. LeBas Thibaut
Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hoffmann 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. 10—
BY REPRESENTATIVE JAMES
AN ACT

To enact R.S. 47:293(4)(d), relative to individual income tax; to define federal income tax liability for purposes of calculating individual income tax liability; to require certain federal disaster losses to be included in the calculation of federal income tax liability; to provide for applicability; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. James moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Franklin Leopold
Abraham Gaines Lyons
Amedee Garofalo Mack
Anders Gisclair Magee
Arnes Glover Marcelle
Bacala Guinn Marino
Bagley Hall McFarland
Bagneris Harris, J. Miguez
Berthelot Harris, L. Miller, D.
Billiot Havard Miller, G.
Bishop Hazel Moreno
Bouie Henry Morris, Jay
Brass Hensgens Morris, Jim
Brown, C. Hilferty Norton
Brown, T. Hill Pearson
Carmody Hodges Pierre
Carpenter Hoffmann Pope
Carter, G. Hollis Pugh
Carter, R. Horton Reynolds
Carter, S. Howard Richard
Chaney Hunter Schexnayder
Connick Huval Seabaugh
Coussan Ivey Shadoin
Cox Jackson Smith
Crews James Stagni
Cromer Jefferson Stefanski
Danahay Jenkins Stokes
Davis Johnson Talbot
DeVillier Jones Thibaut
Dwight Jordan Thomas
Edmonds Landry, N. White
Emerson Landry, T. Wright
Falconer LeBas Zeringue
Foil Leger
Total - 101

NAYS

Total - 0

ABSENT

Abramson Pylant Simon
Total - 3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. James 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.

Suspension of the Rules

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

Reconsideration

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

Motion

Rep. Dwight moved to call from the table the motion to reconsider the vote by which House Bill No. 23 failed to pass, which motion was agreed to.

Motion

Rep. Reynolds moved to reconsider the vote by which House Bill No. 23 failed to pass, which motion was agreed to.

Returned to the calendar, under the rules.

Recess

On motion of Rep. Carmody, the Speaker declared the House at recess until 1:00 P.M.

After Recess

Speaker Barras called the House to order at 1:22 P.M.

House Business Resumed

HOUSE BILL NO. 8—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 47:293(3)(c) and to enact R.S. 47:293(3)(d), relative to the individual income tax; to provide with respect to the deduction for excess federal itemized personal deductions; to provide for certain limitations; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Recess

On motion of Rep. Lance Harris, the Speaker declared the House at recess until 2:30 P.M.

After Recess

Speaker Barras called the House to order at 2:30 P.M.

House Business Resumed

HOUSE BILL NO. 8—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 47:293(3)(c) and to enact R.S. 47:293(3)(d), relative to the individual income tax; to provide with respect to the deduction for excess federal itemized personal deductions; to provide for certain limitations; to provide for applicability; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Engrossed House Bill No. 8 by Representative Leger

AMENDMENT NO. 1

On page 2, line 15, after "Nos." and before "12," delete "2, 3,"

Motion

Rep. Robby Carter moved the previous question be ordered on the amendment, which motion was agreed to.

Rep. Leger moved the adoption of the amendments.

Rep. Seabaugh objected.

By a vote of 47 yeas and 52 nays, the amendments were rejected.

Rep. Leger moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abraham	Gisclair	Lyons
Anders	Hall	Magee
Armes	Hill	Marino
Bagneris	Hoffmann	Miller, D.
Billiot	Hunter	Moreno
Bouie	Ivey	Norton
Brass	Jackson	Pierre
Brown, C.	James	Pugh
Brown, T.	Jefferson	Reynolds
Carpenter	Jenkins	Shadoin
Carter, R.	Johnson	Smith
Carter, S.	Jones	Stagni
Chaney	Jordan	Stokes
Connick	Landry, T.	Thibaut
Cox	LeBas	White
Franklin	Leger	Zeringue
Gaines	Leopold	
Total - 50		

NAYS

Mr. Speaker	Foil	Mack
Amedee	Garofalo	Marcelle
Bacala	Glover	McFarland
Bagley	Guinn	Miguez
Berthelot	Harris, J.	Miller, G.
Bishop	Harris, L.	Morris, Jay
Carmody	Havard	Morris, Jim
Carter, G.	Hazel	Pearson
Coussan	Henry	Pope
Crews	Hensgens	Richard
Cromer	Hilferty	Schexnayder
Danahay	Hodges	Seabaugh
Davis	Hollis	Simon
DeVillier	Horton	Stefanski
Edmonds	Howard	Talbot
Emerson	Huval	Thomas
Falconer	Landry, N.	Wright
Total - 51		

ABSENT

Abramson	Dwight	Pylant
Total - 3		

The Chair declared the above bill failed to pass.

Rep. Seabaugh moved to reconsider the vote by which the bill failed to pass and to table the motion to reconsider.

Rep. Leger objected to tabling the motion to reconsider.

A record vote was asked for and ordered by the House.

ROLL CALL

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The roll was called with the following result:

ALFRED W. SPEER
Clerk of the House

YEAS

Bagley	Hollis	Pope
Carmody	Horton	Pugh
Crews	Howard	Richard
DeVillier	Huval	Seabaugh
Emerson	Landry, N.	Simon
Falconer	Mack	Stefanski
Hensgens	Miguez	Thomas
Hodges	Morris, Jim	
Total - 23		

NAYS

Mr. Speaker	Foil	Leger
Abraham	Franklin	Leopold
Amedee	Gaines	Lyons
Anders	Garofalo	Magee
Armes	Gisclair	Marcelle
Bacala	Glover	Marino
Bagneris	Guinn	McFarland
Berthelot	Hall	Miller, D.
Billiot	Harris, J.	Miller, G.
Bishop	Harris, L.	Moreno
Bouie	Havard	Morris, Jay
Brass	Hazel	Norton
Brown, C.	Hilferty	Pierre
Brown, T.	Hill	Reynolds
Carpenter	Hoffmann	Schexnayder
Carter, G.	Hunter	Shadoin
Carter, R.	Ivey	Smith
Carter, S.	Jackson	Stagni
Chaney	James	Stokes
Connick	Jefferson	Talbot
Coussan	Jenkins	Thibaut
Cox	Johnson	White
Cromer	Jones	Wright
Danahay	Jordan	Zeringue
Davis	Landry, T.	
Edmonds	LeBas	
Total - 76		

ABSENT

Abramson	Henry	Pylant
Dwight	Pearson	
Total - 5		

The House refused to table the motion to reconsider.

Motion to reconsider pending.

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Leger gave notice of his intention to call House Bill No. 8 from the calendar on Sunday, March 4, 2018.

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Dwight gave notice of his intention to call House Bill No. 23 from the calendar on Sunday, March 4, 2018.

Adjournment

On motion of Rep. Billiot, at 7:52 P.M., the House agreed to adjourn until Sunday, March 4, 2018, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Sunday, March 4, 2018.