

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

ELEVENTH 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

Monday, March 5, 2018

The House of Representatives was called to order at 4:07 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 | Gaines | Mack |
| Abraham | Garofalo | Magee |
| Abramson | Gisclair | Marcelle |
| Amedee | Glover | Marino |
| Anders | Guinn | McFarland |
| Armes | Hall | Miguez |
| Bacala | Harris, J. | Miller, D. |
| Bagley | Harris, L. | Miller, G. |
| Bagneris | Havard | Moreno |
| Berthelot | Hazel | Morris, Jay |
| Billiot | Henry | Morris, Jim |
| Bishop | Hensgens | Norton |
| Bouie | Hilferty | Pearson |
| Brass | Hill | Pierre |
| Brown, C. | Hodges | Pope |
| Brown, T. | Hoffmann | Pugh |
| Carmody | Horton | Pylant |
| Carpenter | Howard | Reynolds |
| Carter, G. | Hunter | Richard |
| Carter, R. | Huval | Schexnayder |
| Carter, S. | Ivey | Seabaugh |
| Chaney | Jackson | Shadoin |
| Coussan | James | Simon |
| Cox | Jefferson | Smith |
| Crews | Jenkins | Stagni |
| Danahay | Johnson | Stefanski |
| Davis | Jones | Stokes |
| DeVillier | Jordan | Talbot |
| Dwight | Landry, N. | Thibaut |
| Edmonds | Landry, T. | Thomas |
| Emerson | LeBas | White |
| Falconer | Leger | Wright |
| Foil | Leopold | Zeringue |

Franklin
Total - 101

Lyons

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

Prayer

Prayer was offered by Rep. Huval.

Pledge of Allegiance

Rep. Wright 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 4, 2018, was adopted.

**Petitions, Memorials, and
Communications**

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

Message from the Senate

SENATE BILLS

March 5, 2018

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

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 8

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

**Senate Bills and Joint Resolutions
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 8—

BY SENATORS WARD, ALARIO, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, CHABERT, CLAITOR, DONAHUE, ERDEY, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MILKOVICH, MIZELL, MORRELL, PEACOCK, RISER, GARY SMITH, TARVER, THOMPSON, WALSWORTH AND WHITE

AN ACT

To enact Subpart D of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:16.1 through 16.11, and to repeal R.S. 39:6(C), relative to the state's fiscal transparency website; to provide for the statewide implementation of the enterprise resource planning system; to provide the duties of the commissioner of administration relative to the information to be accessible on the fiscal transparency website; to provide definitions; to provide for the information to be included on the website; to provide for the appropriation acts for the executive, judicial, and legislative branches of government to be included on the website; to provide for links to the websites of state agencies, the legislature, judiciary, and the legislative auditor; to provide relative to the reporting of contracts, expenditures, and incentive expenditures; to provide relative to reporting by the state

retirement systems and the state treasurer; to provide for reports and audits to be published on the website; to provide for free public use of the website; to provide for an employment and salary database; to provide for the information which shall be excluded from the website; to provide relative to a schedule for the completion and maintenance of the website; to provide for the reporting of the use of state funds by the recipient of state funds; to provide for audits; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Leger, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

Petitions, Memorials, and Communications

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

Message from the Senate

HOUSE BILLS

March 4, 2018

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

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 10
Returned with amendments

House Bill No. 27
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 4, 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. 5
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Leger, 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:

Motion

Rep. Leger moved to call House Bill No. 8 from the calendar.

Rep. Seabaugh objected.

Point of Order

Rep. Lance Harris asked for a ruling from the Chair as to what is the required vote to call the above bill from the notice given subject to call list.

Ruling of the Chair

The Chair ruled it required a majority vote of members present and voting to call the above bill from the notice given subject to call list.

By a vote of 49 yeas and 49 nays, the House refused to call the bill from the calendar.

Suspension of the Rules

On motion of Rep. James, the rules were suspended in order to take up and consider House Bills and Joint Resolutions Returned from the Senate with Amendments at this time.

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. 10—

BY REPRESENTATIVE JAMES AND SENATORS ALARIO, APPEL, BARROW, BISHOP, BOUDREAUX, CARTER, COLOMB, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, PETERSON, PRICE, RISER, GARY SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE

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.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Morrell to Engrossed House Bill No. 10 by Representative James

AMENDMENT NO. 1

On page 1, line 20, between "deduction" and "or" insert "as provided by Section 11028 of United States Public Law 115-97"

AMENDMENT NO. 2

On page 2, line 1, after "losses" add a period ".", and delete the remainder of the line and delete line 2.

AMENDMENT NO. 3

On page 2, line 5, between "on" and "January 1, 2015" insert "or after"

Rep. James moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Speaker | Gaines | Lyons |
| Abraham | Garofalo | Mack |
| Abramson | Gisclair | Marcelle |
| Amedee | Glover | Marino |
| Anders | Guinn | McFarland |
| Bacala | Hall | Miguez |
| Bagley | Harris, J. | Miller, D. |
| Bagneris | Harris, L. | Miller, G. |
| Berthelot | Havard | Moreno |
| Billiot | Hazel | Morris, Jay |
| Bishop | Henry | Morris, Jim |
| Bouie | Hensgens | Norton |
| Brass | Hilferty | Pearson |
| Brown, C. | Hill | Pierre |
| Brown, T. | Hodges | Pope |
| Carmody | Hoffmann | Pugh |
| Carpenter | Horton | Pylant |
| Carter, G. | Howard | Reynolds |
| Carter, R. | Hunter | Richard |
| Carter, S. | Huval | Schexnayder |
| Chaney | Ivey | Seabaugh |
| Coussan | Jackson | Shadoin |
| Cox | James | Simon |
| Crews | Jefferson | Smith |
| Danahay | Jenkins | Stagni |
| Davis | Johnson | Stefanski |
| DeVillier | Jones | Stokes |
| Dwight | Jordan | Talbot |
| Edmonds | Landry, N. | Thibaut |
| Emerson | Landry, T. | Thomas |
| Falconer | LeBas | White |
| Foil | Leger | Wright |
| Franklin | Leopold | Zeringue |
| Total - 99 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|--------|-------|
| Armes | Cromer | Magee |
| Connick | Hollis | |
| Total - 5 | | |

The amendments proposed by the Senate were concurred in by the House.

Motion

On motion of Rep. Bishop, the Speaker appointed the following special committee to notify the Senate that the House has completed its labors and is prepared to adjourn *sine die*: Reps. Franklin, Guinn, Marino, Crews, and Emerson.

Suspension of the Rules

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

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 10—

BY REPRESENTATIVE HAZEL

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Olla Rae Montalbano Chicola.

Read by title.

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

Committee from the Senate

A special committee from the Senate notified the House that the Senate has completed its labors and is prepared to adjourn *sine die*.

The Speaker thanked and dismissed the committee.

Motion

On motion of Rep. Bishop, the Speaker appointed the following special committee to notify the Governor that the House has completed its labors and is prepared to adjourn *sine die*: Reps. R. Carter, Jay Morris, Stagni, Norton, and Thomas.

Reports of Special Committees

The special committee appointed to notify the Governor that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had completed its labors and was prepared to adjourn *sine die* reported that it had performed that duty.

The Speaker thanked and discharged the committees.

Privileged Report of the Committee on Enrollment

March 5, 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. 9—
BY REPRESENTATIVE HOFFMANN
A RESOLUTION

To commend adoptee and LSU Paul M. Hebert Law Center student David Scotton and his family upon the release of the documentary film I Lived on Parker Avenue.

HOUSE RESOLUTION NO. 10—
BY REPRESENTATIVE HAZEL
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Olla Rae Montalbano Chicola.

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

March 5, 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 Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVES HAZEL, GAROFALO, AND MARINO AND SENATOR DONAHUE

A CONCURRENT RESOLUTION

To commend the Holy Cross boys' soccer team for winning the 2018 Allstate Sugar Bowl Division II championship.

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 in accordance with the rules of the House.

Privileged Report of the Committee on Enrollment

March 5, 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 Bills have been properly enrolled:

HOUSE BILL NO. 10—
BY REPRESENTATIVE JAMES AND SENATORS ALARIO, APPEL, BARROW, BISHOP, BOUDREAU, CARTER, COLOMB, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRELL, PETERSON, PRICE, RISER, GARY SMITH, TARVER, THOMPSON, WALSWORTH, WARD, AND WHITE

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.

HOUSE BILL NO. 27—
BY REPRESENTATIVE SMITH AND SENATOR COLOMB
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.

Respectfully submitted,

CHRIS HAZEL
Chairman

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

Leave of Absence

Rep. Connick - 1 day

Adjournment

On motion of Rep. Anders, at 4:52 P.M., the House agreed to adjourn *sine die*.

The Speaker of the House declared the House adjourned *sine die*.

ALFRED W. SPEER
Clerk of the House