

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

SECOND DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, May 23, 2018

The House of Representatives was called to order at 4:45 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 | Garofalo | Magee |
| Abraham | Gisclair | Marcelle |
| Amedee | Glover | Marino |
| Anders | Guinn | McFarland |
| Armes | Hall | Miguez |
| Bacala | Harris, J. | Miller, D. |
| Bagley | Harris, L. | Miller, G. |
| Berthelot | Havard | Morris, Jay |
| Billiot | Hazel | Morris, Jim |
| Bouie | Henry | Muscarello |
| Brass | Hilferty | Norton |
| Brown, C. | Hodges | Pearson |
| Brown, T. | Hoffmann | Pierre |
| Carmody | Horton | Pope |
| Carpenter | Howard | Pugh |
| Carter, R. | Hunter | Pylant |
| Carter, S. | Huval | Reynolds |
| Chaney | Ivey | Schexnayder |
| Connick | Jackson | Seabaugh |
| Cox | James | Simon |
| Crews | Jefferson | Smith |
| Davis | Jenkins | Stagni |
| DeVillier | Johnson | Stefanski |
| Duplessis | Jones | Stokes |
| Dwight | Jordan | Talbot |
| Edmonds | Landry, N. | Thibaut |
| Emerson | Landry, T. | Thomas |
| Falconer | LeBas | White |
| Foil | Leopold | Wright |
| Franklin | Lyons | Zeringue |
| Gaines | Mack | |

Total - 92

The Speaker announced that there were 92 members present and a quorum.

Prayer

Prayer was offered by Pastor Perry Wrights, Jr. of Promised Land Baptist Church in Baton Rouge.

Pledge of Allegiance

Rep. Reynolds 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. White, the reading of the Journal was dispensed with.

On motion of Rep. White, the Journal of May 22, 2018, 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 23, 2018

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. 1 and 2

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

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. 1—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Lyn Rollins upon being awarded the Distinguished Service Award in Sports Journalism by the Louisiana Sports Hall of Fame.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR LONG

A CONCURRENT RESOLUTION

To commend Jack Hains on being named to the 2018 Louisiana Sports Hall of Fame.

Read by title.

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

Suspension of the Rules

On motion of Rep. Carmody, 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. 7—

BY REPRESENTATIVE PIERRE

A RESOLUTION

To designate May 20 through 26, 2018, as Emergency Medical Services Week, highlighting the theme of "EMS Strong: Always in Service".

Read by title.

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

HOUSE RESOLUTION NO. 8—

BY REPRESENTATIVE MARCELLE

A RESOLUTION

To commend the government of Iceland for hosting the Linkages Across the Sea Level Rise Continuum youth leadership exchange program and to congratulate the National Association for the Advancement of Colored People delegates for climate and environmental justice for attending the event.

Read by title.

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

HOUSE RESOLUTION NO. 9—

BY REPRESENTATIVE FOIL

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Louis M. Blakes.

Read by title.

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

HOUSE RESOLUTION NO. 10—

BY REPRESENTATIVE COX

A RESOLUTION

To commend Fletter Cox Taylor on her many accomplishments.

Read by title.

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

Introduction of House Bills and Joint Resolutions

The following named members introduced the following entitled House Bills and Joint Resolutions, which were read the first time by

their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

HOUSE BILL NO. 25—

BY REPRESENTATIVE HAVARD

AN ACT

To amend and reenact R.S. 47:302(R)(2) and (3), (S), (T), (X)(introductory paragraph), (AA)(introductory paragraph), (AA)(29) through (31), and (AA)(32)(introductory paragraph), 321(H)(2) through (6), and (I) through (K), and 321.1(A) through (C), (F)(introductory paragraph), (F)(66)(introductory paragraph), (F)(67) through (69), and (F)(70)(introductory paragraph), and 331(P), (Q), and (R), to enact R.S. 47:302(BB) and (CC), 321(P) and (Q), 321.1(I) and (J), and 331(V) and (W), and to repeal R.S. 47:302(Y), 321(M), 321.1(E), 331(T), and Act No. 395 of the 2017 Regular Session of the Louisiana Legislature, relative to state sales and use taxes; to provide for the tax rate; to provide for the applicability of certain exclusions and exemptions applicable to certain taxes; to provide for effectiveness; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Havard, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 26—

BY REPRESENTATIVE LEGER

AN ACT

Making annual appropriations for Fiscal Year 2018-2019 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.

Suspension of the Rules

On motion of Rep. Leger, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Appropriations.

HOUSE BILL NO. 27—

BY REPRESENTATIVE LANCE HARRIS

AN ACT

To amend and reenact R.S. 47:301(16)(o)(i), 302(R)(2) and (3), (S), (T), (X)(introductory paragraph), (AA)(introductory paragraph), (AA)(29) through (31), and (AA)(32)(introductory paragraph), 321(H)(2) through (6), and (I) through (K), and 321.1(A) through (C), (E), (F)(introductory paragraph), (F)(66)(introductory paragraph), (F)(67) through (69), and (F)(70)(introductory paragraph), and 331(P), (Q), and (R), to enact R.S. 47:302(BB) and (CC), 321(P) and (Q), 321.1(I) and (J), and 331(V) and (W), and to repeal R.S. 47:302(Y), 321(M), 331(T), and Act No. 395 of the 2017 Regular Session of the Louisiana Legislature, relative to state sales and use taxes; to provide for the tax rate; to provide for the applicability of certain exclusions and exemptions applicable to certain taxes; to provide for effectiveness; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Lance Harris, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Ways and Means.

HOUSE BILL NO. 28—
BY REPRESENTATIVE ABRAMSON
AN ACT

To appropriate funds from certain sources in specific amounts for the making of supplemental appropriations to the capital outlay budget for Fiscal Year 2018-2019; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Jim Morris, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Ways and Means.

Suspension of the Rules

On motion of Rep. Carmody, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Second Reading to be Referred at this time.

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. 14—
BY REPRESENTATIVE BARRAS
A JOINT RESOLUTION

Proposing to amend Article VII, Section 10(C)(1) and (2) 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 provide for changing 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.

Motion

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

HOUSE BILL NO. 16—
BY REPRESENTATIVE BARRAS
AN ACT

To amend and reenact R.S. 39:33.1(A) through (C) and 52.1 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 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 the contents of the expenditure limit calculation; to provide for

changing the expenditure limit; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Reconsideration of Vetoed Bills

The following vetoed bills were taken up, reconsidered, and acted upon as follows:

HOUSE BILL NO. 1—
BY REPRESENTATIVE HENRY
AN ACT

Making annual appropriations for Fiscal Year 2018-2019 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.

Motion

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

HOUSE BILL NO. 129—
BY REPRESENTATIVE REYNOLDS
AN ACT

To enact R.S. 39:128(E), relative to the capital outlay process; to provide for the exemption of certain projects from the capital outlay process; to provide for certain limitations and restrictions; and to provide for related matters.

Read by title.

OFFICE OF THE GOVERNOR State of Louisiana

May 20, 2018

Honorable Taylor F. Barras
Speaker of the House
Louisiana House of Representatives
Post Office Box 94062
Baton Rouge, Louisiana 70804-9062

RE: Veto of House Bill 129 of 2018 Regular Session

Dear Speaker Barras:

Please be advised that I have vetoed House Bill 129 of the 2018 Regular Session.

This bill, as originally filed, was a bill I strongly supported, as it would have given the Louisiana Department of Wildlife and Fisheries (LDWF) the ability to be more efficient in the repair, renovation, or construction of buildings for its operations. However, in the House Ways and Means Committee, the bill was amended to require the approval of the House Ways and Means and Senate Revenue and Fiscal Affairs Committees for any such work. This additional requirement would make LDWF less efficient and would interject political considerations into the decisions about the proper management of LDWF facilities. Further, this amendment is a clear violation of Art. II, Sec. 2 of the Louisiana Constitution, which provides for a separation of powers between the branches of state

government. Outside of the appropriation process, decisions about the maintenance or construction of facilities in executive branch agencies should not require legislative approval.

Sincerely,

JOHN BEL EDWARDS
Governor

Rep. Reynolds moved that the veto of the Governor be sustained.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-------------|------------|-------------|
| Mr. Speaker | Foil | Lyons |
| Abraham | Franklin | Mack |
| Amedee | Gaines | Marcelle |
| Anders | Gisclair | Marino |
| Armes | Guinn | McFarland |
| Bacala | Hall | Miller, D. |
| Bagley | Harris, J. | Miller, G. |
| Berthelot | Harris, L. | Muscarello |
| Billiot | Havard | Norton |
| Bouie | Hazel | Pierre |
| Brass | Henry | Pope |
| Brown, C. | Hilferty | Pugh |
| Brown, T. | Hodges | Pylant |
| Carmody | Horton | Reynolds |
| Carpenter | Howard | Schexnayder |
| Carter, R. | Huval | Seabaugh |
| Carter, S. | Ivey | Smith |
| Chaney | Jackson | Stagni |
| Connick | James | Stefanski |
| Crews | Jefferson | Stokes |
| Davis | Jenkins | Talbot |
| DeVillier | Johnson | Thibaut |
| Duplessis | Jones | Thomas |
| Dwight | Jordan | White |
| Edmonds | Landry, N. | Zeringue |
| Emerson | Landry, T. | |
| Falconer | LeBas | |

Total - 79

NAYS

Total - 0

ABSENT

| | | |
|------------|----------|-------------|
| Abramson | Hensgens | Morris, Jay |
| Bagneris | Hill | Morris, Jim |
| Bishop | Hoffmann | Pearson |
| Carter, G. | Hollis | Richard |
| Coussan | Hunter | Shadoin |
| Cox | Leger | Simon |
| Cromer | Leopold | Wright |
| Garofalo | Magee | |
| Glover | Miguez | |

Total - 25

The veto was sustained.

Suspension of the Rules

On motion of Rep. Jim Morris, the rules were suspended in order to take up and consider Introduction of House Bills and Joint Resolutions at this time.

Introduction of House Bills and Joint Resolutions

The following named members introduced the following entitled House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

HOUSE BILL NO. 29—
BY REPRESENTATIVE ABRAMSON
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 2017-2018; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

On motion of Rep. Jim Morris, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Ways and Means.

Suspension of the Rules

On motion of Rep. Duplessis, 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. 11—
BY REPRESENTATIVE DUPLESSIS
A RESOLUTION

To express the condolences of the House of Representatives upon the death of Judge Clare Jupiter of the Civil District Court for the Parish of Orleans.

Read by title.

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

Privileged Report of the Committee on Enrollment

May 23, 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 BAGLEY

A RESOLUTION

To urge and request the governor and the State Board of Elementary and Secondary Education to work with the legislature to explore ways to provide funding to increase teacher salaries to the level where Louisiana's average teacher salary will equal or exceed the average teacher salary for the southern region.

HOUSE RESOLUTION NO. 2—

BY REPRESENTATIVES HODGES, ABRAHAM, AMEDEE, BACALA, BAGNERIS, TERRY BROWN, COX, CREWS, DAVIS, EDMONDS, EMERSON, FALCONER, FOIL, GLOVER, HAZEL, HOLLIS, HORTON, HUVAL, IVEY, JACKSON, JAMES, JEFFERSON, JORDAN, MACK, MARCELLE, MCFARLAND, MIGUEZ, JAY MORRIS, SHADOIN, WHITE, WRIGHT, AND ZERINGUE

A RESOLUTION

To congratulate Israel on the occasion of the seventieth anniversary of its establishment, to recognize the contributions of Israel to humankind, to express support for the people of Israel and for their right to live in freedom and to defend their land and their country, and to extend best wishes to the state of Israel and to the Israeli people for a peaceful and prosperous future.

HOUSE RESOLUTION NO. 3—

BY REPRESENTATIVE STOKES

A RESOLUTION

To recognize July 2018 as Metastatic Breast Cancer Awareness Month in Louisiana.

HOUSE RESOLUTION NO. 4—

BY REPRESENTATIVE STEFANSKI

A RESOLUTION

To commend Lewis Cook on his induction into the Louisiana Sports Hall of Fame.

HOUSE RESOLUTION NO. 5—

BY REPRESENTATIVE STEFANSKI

A RESOLUTION

To commend Jack Hains on his induction into the Louisiana Sports Hall of Fame.

HOUSE RESOLUTION NO. 6—

BY REPRESENTATIVES JACKSON, GAINES, JAMES, BAGNERIS, BOUIE, BRASS, CARPENTER, GARY CARTER, COX, FRANKLIN, GLOVER, HALL, JIMMY HARRIS, HUNTER, JEFFERSON, JENKINS, JORDAN, TERRY LANDRY, LYONS, MARCELLE, DUSTIN MILLER, NORTON, PIERRE, AND SMITH

A RESOLUTION

To designate Wednesday, May 23, 2018, as Louisiana Judicial Council of the National Bar Association Day at the state capitol and to commend the members of the Louisiana Judicial Council of the National Bar Association for their contributions to improving the judicial system in this state.

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. Jim Morris, the rules were suspended to permit the Committee on Ways and Means to meet at 10:00 A.M. on Thursday, May 24, 2018, and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill Nos. 3, 4, 9, 11, 15, 20, 21, 23, 25, 27, 28, and 29

Leave of Absence

Rep. Abramson - ½ day

Rep. Shadoin - 1 day

Rep. Coussan - 1 day

Adjournment

On motion of Rep. Billiot, at 5:26 P.M., the House agreed to adjourn until Thursday, May 24, 2018, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Thursday, May 24, 2018.

ALFRED W. SPEER
Clerk of the House

Committee Meeting Notices

The following committees posted notices as follows:

Committee on Ways and Means

Will meet at: 10:00 a.m. Date: Thursday, May 24, 2018

Location: Committee Room 6

Remarks:

- HB 3** **ABRAMSON CAPITAL OUTLAY** Provides for the Omnibus Bond Act (Item #9)
- HB 4** **CONNICK TAX/SALES-USE, STATE** Provides for the imposition of state sales and use tax (Item #22)
- HB 9** **LEGER TAX/INCOME TAX** Reduces the amount of the individual income tax deduction for excess federal itemized personal deductions (Item #20)
- HB 11** **LANDRY, T. TAX/SALES-USE, STATE** Provides with respect to the rate and base of state sale and use taxes (Item #22)
- HB 15** **HAVARD TAX/SALES-USE, STATE** Provides with respect to the rate and base of state sales and use tax (Item #22)
- HB 20** **MORRIS, JAY TAX/SALES-USE, STATE** Provides for the applicability of exemptions and exclusions for purposes of state sales and use taxes (Items #22 and #23)
- HB 21** **SHADOIN TAX/INCOME TAX** Reduces the amount of the individual income tax deduction for excess federal itemized personal deductions (Item #20)
- HB 23** **JAMES TAX/SALES-USE-EXEMPT** Imposes a state sales and use tax and dedicates a portion of the proceeds for support of public education, including teacher salaries, early childhood education, the La. Go Grants Program, and TOPS (Items #10, 22, and 23)
- HB 25** **HAVARD TAX/SALES-USE, STATE** Provides with respect to the rate and base of state sales and use tax (Item #22)

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HB 27 **HARRIS, L. TAX/SALES-USE, STATE** Provides for the rate and base for state sales and use taxes (Item #22)

HB 28 **ABRAMSON CAPITAL OUTLAY** Makes supplemental appropriations for the Fiscal Year 2018-2019 comprehensive Capital Outlay budget (Item #8)

HB 29 **ABRAMSON APPROPRIATIONS/SUPPLEML** Makes supplemental appropriations for the Fiscal Year 2017-2018 (Item #1)

JIM MORRIS
Vice Chairman