

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

**THIRD DAY'S PROCEEDINGS**

**Thirty-ninth Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Tuesday, February 16, 2016

The House of Representatives was called to order at 4:36 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	Foile	Leger
Abraham	Franklin	Leopold
Abramson	Gaines	Lopinto
Adams	Garofalo	Lyons
Amedee	Gislair	Mack
Anders	Glover	Marcelle
Armes	Guinn	McFarland
Bacala	Hall	Miguez
Bagley	Harris, J.	Miller, D.
Bagneris	Harris, L.	Miller, G.
Berthelot	Havard	Montoucet
Billiot	Hazel	Morris, Jay
Bishop	Henry	Morris, Jim
Bouie	Hensgens	Norton
Broadwater	Hilferty	Pearson
Brown, C.	Hill	Pierre
Brown, T.	Hodges	Pope
Carmody	Hoffmann	Price
Carpenter	Hollis	Pugh
Carter, G.	Horton	Pylant
Carter, R.	Howard	Reynolds
Carter, S.	Hunter	Richard
Chaney	Huval	Schexnayder
Connick	Ivey	Schroder
Coussan	Jackson	Seabaugh
Cox	James	Shadoin
Cromer	Jefferson	Simon
Danahay	Jenkins	Smith
Davis	Johnson, M.	Stokes
DeVillier	Johnson, R.	Talbot
Dwight	Jones	Thibaut

Edmonds  
Emerson  
Falconer  
Total - 102

Landry, N.  
Landry, T.  
LeBas

White  
Willmott  
Zeringue

The Speaker announced that there were 102 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Cox.

**Pledge of Allegiance**

Rep. Jim Morris 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 15, 2016, 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 CONCURRENT RESOLUTION NO. 3—**

BY REPRESENTATIVE HAVARD

**A CONCURRENT RESOLUTION**

To urge and request the Department of Revenue to reexamine their revenue ruling determination that a certain rate reduction and tax exemption is applicable to sellers of nonprepared foods.

Read by title.

On motion of Rep. Havard, and under a suspension of the rules, the above resolution was referred to the Committee on Ways and Means, under the rules.

**Suspension of the Rules**

Rep. Leger moved to suspend the rules for the purpose of referring to committee all House Bills, House Concurrent Resolutions, and House Resolutions introduced on this day, which motion was agreed to.

**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. 57—**

BY REPRESENTATIVE STOKES

**AN ACT**

To amend and reenact Section 4 of Act No. 109 of the 2015 Regular Session of the Legislature and to repeal Section 2 of Act No. 109 of the 2015 Regular Session of the Legislature, relative to the sunset provisions of Act No. 109 of the 2015 Regular Session of the Legislature; to provide with respect to the individual income tax credit for taxes paid to other states; to repeal the three-year sunset of modifications to the tax credit in Act No. 109 of the 2015 Regular Session of the Legislature; to provide for an effective date; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 58—

BY REPRESENTATIVE JACKSON

#### AN ACT

To amend and reenact R.S. 47:287.95(A), (C)(1)(a), (D), and (F)(1) and (2)(a) and (b), relative to corporate income tax; to provide for the calculation of apportionment income for certain businesses; to provide for the weighing of certain ratios in the calculation of Louisiana apportionment percent; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 59—

BY REPRESENTATIVE MORENO

#### AN ACT

To amend and reenact R.S. 47:301(6)(a) and to enact R.S. 47:301(4)(m), (6)(d), and (13)(n) and 306(A)(8), relative to sales and use tax on hotels; to provide certain definitions for purposes of imposing of the state sales and use tax; to provide for remittance of certain information to the secretary of the Department of Revenue; to provide for an effective date; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 60—

BY REPRESENTATIVE HAVARD

#### AN ACT

To amend and reenact R.S. 47:305(D)(3)(a), relative to state sales and use tax exemptions; to provide for definitions; to provide with respect to the taxability of sales of food and beverages in certain circumstances; to provide for effectiveness; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 61—

BY REPRESENTATIVE JAY MORRIS

#### AN ACT

To amend and reenact R.S. 4:168 and 227, R.S. 12:425, R.S. 22:2065, R.S. 33:4169(D), R.S. 40:582.7 (introductory paragraph), R.S. 47:301(3), (6) through (10), (13) through (16), (18), and (27), 302(R)(2) and (3), (S), and (T), 305(A)(2), (4)(a), (5) and (6), (D)(1)(b) through (d), (f) through (i), and (u), (2)(a)(introductory paragraph), (F), and (I), 305.1(A) and (B), 305.6 through 305.9, 305.13, 305.14(A)(1), 305.16, 305.17, 305.18(A), 305.19, 305.20(C), 305.25(A)(introductory paragraph), 305.26, 305.28(A), 305.33, 305.37(A), 305.40(A)(introductory paragraph), 305.41, 305.42, 305.43(A), 305.44(A), 305.45(A)(introductory paragraph), 305.47, 305.49, 305.50(A)(1) and (2)(a), (B), (E), and (F), 305.51(A), 305.54(B)(1), 305.57(A), 305.58(A)(1), 305.59, 305.61(A), 305.62(B)(1), 305.63, 305.64(A)(1), 305.65(A), 305.66(A), 305.67, 305.68, 305.70, 305.71, 318(A), 321(H), (I), (J), and (K), 331(P)(3) and (4), (Q) and (R), and 6001(A), and R.S. 51:1307(C), and to enact Subpart T of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.147, and to repeal Section 4 of

Act No. 386 of 1990, relative to state revenues; to dedicate certain state sales and use tax revenues for support of post-secondary education; to establish a special treasury fund; to provide for the deposit and use of monies in the fund; to provide with respect to the applicability of certain exclusions and exemptions from the state sales and use tax base; to provide for effectiveness; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 62—

BY REPRESENTATIVE JACKSON

#### AN ACT

To amend and reenact R.S. 47:301(1) through (28), 305(A)(2), (C), (D)(1), (2)(a)(introductory paragraph), (F), (G), and (H)(introductory paragraph), 305.1(A) and (B), 305.6, 305.7, 305.9, 305.13, 305.14(A)(1) and (5), 305.16, 305.19, 305.20(A) and (G)(1), 305.26, 305.28(A), 305.33, 305.41, 305.42, 305.43(B), 305.49, 305.50(A)(1) and (2)(a), (B), and (F), 305.51(A), 305.54(B)(1), 305.56, 305.57(A), 305.58(A)(1), 305.59, 305.61(A), 305.62(B)(1), 305.65(A), 305.67, 305.68, 305.70, 305.71, 315.1(A), 315.2(A), and 318(A), and to enact R.S. 47:321.1, and to repeal R.S. 47:305.60 and 305.69, relative to state sales and use tax; to impose a sales and use tax; to provide for the rate and base of the tax; to provide for the disposition of collections; to provide with respect to certain refund provisions; to provide for exceptions and limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

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

### HOUSE BILL NO. 63—

BY REPRESENTATIVE EDMONDS

#### AN ACT

To amend and reenact R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4), (B), and (C) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361, 2362(A)(introductory paragraph), 2363, 2365, 2365.1(B) through (D), and 2366, and Section 4(B) of Act No. 421 of the 2013 Regular Session of the Legislature and to repeal R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1),(2), and (3), and 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised

of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session of the Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature, relative to special treasury funds; to provide for the elimination of certain special treasury funds; to eliminate certain dedications into certain special treasury funds; to eliminate certain required expenditures from special treasury funds; to eliminate the Louisiana Agricultural Finance Authority Fund, Forest Protection Fund, Forest Productivity Fund, Louisiana Public Defender Fund, Indigent Parent Representation Program Fund, Innocence Compensation Fund, Academic Improvement Fund, Support Education in Louisiana First Fund, Workforce Training Rapid Response Fund, Higher Education Initiatives Fund, Louisiana Charter School Start-Up Loan Fund, Louisiana State Police Salary Fund, Louisiana Fire Marshal Fund, Municipal Fire and Police Civil Service Fund, Legislative Capitol Technology Enhancement Fund, Riverboat Gaming Enforcement Fund, Pari-Mutuel Live Racing Facility Gaming Control Fund, Equine Health Studies Program Fund, Southern University AgCenter Program Fund, Video Draw Poker Device Purse Supplement Fund, Compulsive and Problem Gaming Fund, Tobacco Settlement Enforcement Fund, Payments Towards the UAL Fund, Sports Facility Assistance Fund, Overcollections Fund, FEMA Reimbursement Fund, State Emergency Response Fund, Louisiana Interoperability Communications Fund, Health Care Redesign Fund, Community Water Enrichment Fund, Louisiana State University Firemen Training Program Film Library Fund, Marketing Fund, Tobacco Tax Health Care Fund, Department of Justice Legal Support Fund, Rapid Response Fund, Louisiana Mega-Project Development Fund, Major Events Incentive Program Subfund, DNA Testing Post-Conviction Relief for Indigents Fund, 2013 Amnesty Collections Fund, Workforce and Innovation for a Strong Economy Fund, Competitive Core Growth Fund, Science, Technology, Engineering and Math (STEM) Upgrade Fund, Louisiana Asbestos Detection and Abatement Fund, Center of Excellence for Autism Spectrum Disorder Fund, Major Events Fund, Unfunded Accrued Liability and Specialized Educational Institutions Support Fund, MediFund, Department of Health and Hospitals' Facility Support Fund, Louisiana Emergency Response Network Fund, FMAP Stabilization Fund, Fund for Louisianians in Need of Civil Legal Assistance, Fiscal Administrator Revolving Loan Fund, Status of Grandparents Raising Grandchildren Fund, Louisiana Economic Development Fund, Telecommunications for the Deaf Fund, Tobacco Regulation Enforcement Fund, Department of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid Match Fund, Higher Education Financing Fund,

Sickle Cell Fund, and the New Orleans Public Safety Fund; to provide for the deposits into the New Opportunities Waiver Fund; to provide for the uses of the Two Percent Fire Insurance Fund and the Video Draw Poker Device Fund; to authorize the transfer of balances between funds; to provide for deposit of monies into the state general fund; and to provide for related matters.

Read by title.

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

#### HOUSE BILL NO. 64—

BY REPRESENTATIVE MONTOUTEC  
AN ACT

To amend and reenact R.S. 47:301(10)(x), 305(D)(1)(a) through (d), (g), and (h), and 305.51(A), to enact R.S. 47:305.72, and to repeal R.S. 47:301(3)(j), (10)(c)(i)(bb) and (ii)(aa), (n), (z), and (bb), (13)(m), and 18(l), relative to state sales and use taxes; to provide with respect to the definitions used for the administration of the taxes; to provide for an exemption for certain utilities consumed by businesses; to provide for effectiveness; and to provide for related matters.

Read by title.

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

#### HOUSE BILL NO. 65—

BY REPRESENTATIVE MONTOUTEC  
AN ACT

To enact R.S. 47:306(B), relative to collection of advance sales tax; to provide for the disposition of the tax; to authorize the secretary of the Department of Revenue to promulgate rules; to provide for exemptions; to provide for an effective date; and to provide for related matters.

Read by title.

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

#### HOUSE BILL NO. 66—

BY REPRESENTATIVE JAMES  
AN ACT

To amend and reenact R.S. 51:1787(A)(3) and (B)(3)(c) and (5) and to enact R.S. 51:1787(A)(1)(c) and (B)(3)(d), relative to the Enterprise Zone Program; to provide for eligibility; to limit the amount of rebate and investment income tax credit; to provide for computation of average annual employment; to provide for applicability; to provide for effectiveness; and to provide for related matters.

Read by title.

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

### Reports of Committees

The following reports of committees were received and read:

Report of the Committee on  
Ways and Means

February 16, 2016

To the Speaker and Members of the House of Representatives:

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I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 2, by Broadwater  
Reported favorably. (18-0)

NEIL C. ABRAMSON  
Chairman

### **Suspension of the Rules**

On motion of Rep. Henry, the rules were suspended to permit the Committee on Appropriations to meet at 10:00 A.M. instead of 9:00 A.M. on Wednesday, February 17, 2016.

### **Suspension of the Rules**

On motion of Rep. Abramson, the rules were suspended to permit the Committee on Ways and Means to meet on Wednesday, February 17, 2016, 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, 6, 9, 10, 11, 12, 13, 14, 15, 18, 21, 26, 27, 28, 30, 38, 39, 43, 52, 53, 54, and 56

### **Adjournment**

On motion of Rep. Billiot, at 4:48 P.M., the House agreed to adjourn until Wednesday, February 17, 2016, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Wednesday, February 17, 2016.

ALFRED W. SPEER  
Clerk of the House