

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

SEVENTH 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

Monday, February 22, 2016

The House of Representatives was called to order at 5:44 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	Foil	Leger
Abraham	Franklin	Leopold
Abramson	Gaines	Lopinto
Adams	Garofalo	Lyons
Amedee	Gisclair	Mack
Anders	Glover	Magee
Armes	Guinn	Marcelle
Bacala	Hall	McFarland
Bagley	Harris, J.	Miguez
Bagneris	Harris, L.	Miller, D.
Berthelot	Havard	Miller, G.
Billiot	Hazel	Montoucet
Bishop	Henry	Moreno
Bouie	Hensgens	Morris, Jay
Broadwater	Hilferty	Morris, Jim
Brown, C.	Hill	Norton
Brown, T.	Hodges	Pearson
Carmody	Hoffmann	Pierre
Carpenter	Hollis	Pope
Carter, G.	Horton	Price
Carter, R.	Howard	Pugh
Carter, S.	Hunter	Pylant
Chaney	Huval	Reynolds
Connick	Ivey	Richard
Coussan	Jackson	Schexnayder
Cox	James	Schroder
Cromer	Jefferson	Simon
Danahay	Jenkins	Smith
Davis	Johnson, M.	Stokes

DeVillier	Johnson, R.	Talbot
Dwight	Jones	Thibaut
Edmonds	Landry, N.	White
Emerson	Landry, T.	Willmott
Falconer	LeBas	Zeringue
Total - 102		

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

Prayer

Prayer was offered by Dr. Ken Ward, Coordinator of Chaplain Services.

Pledge of Allegiance

Rep. Zeringue 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, 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 RESOLUTION NO. 11—

BY REPRESENTATIVE JONES

A RESOLUTION

To commend the Reverend Doctor Charles Oatis, Sr., upon the seventeenth anniversary of his pastorate of Mount Esther Baptist Church of Morgan City.

Read by title.

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

HOUSE RESOLUTION NO. 12—

BY REPRESENTATIVE JONES

A RESOLUTION

To commend the Reverend Doctor Winston Christopher Ridley, Jr., upon the occasion of his visit to the great state of Louisiana and fellowship with Mount Esther Baptist Church of Morgan City.

Read by title.

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

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.

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE JAY MORRIS

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2016 Regular Session of the Legislature of Louisiana certain exemptions and exclusions as to the taxes levied pursuant to R.S. 47:302, 321, and 331, including, but not limited to the exemptions and exclusions provided in those portions of

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Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended, which provide for exemptions and exclusions from the taxes imposed therein, and to provide for exceptions.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVE JACKSON

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2016 Regular Session of the Legislature of Louisiana certain exemptions and exclusions as to the taxes levied pursuant to R.S. 47:302, 321, and 331, including, but not limited to the exemptions and exclusions provided in those portions of Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, as amended, which provide for exemptions and exclusions from the taxes imposed therein, and to provide for exceptions.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To continue and provide with respect to the study committee to evaluate Louisiana's statewide system of healthcare delivery created by House Concurrent Resolution No. 170 of the 2015 Regular Session of the Legislature.

Read by title.

On motion of Rep. Smith, and under a suspension of the rules, the above resolution was referred to the Committee on Health and Welfare, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To suspend from March 1, 2016, until sixty days after final adjournment of the 2016 Regular Session of the Legislature of Louisiana the special tax treatment of severance taxes on oil and gas as enacted in Act No. 120 of the 2015 Regular Session of the Legislature and as specifically provided for in R.S. 47:633(7)(c)(iii)(introductory paragraph) and (7)(d).

Read by title.

Motion

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

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. 105—

BY REPRESENTATIVES DAVIS, CHAD BROWN, DANAHAY, DEVILLIER, DWIGHT, HALL, HILFERTY, MAGEE, REYNOLDS, THIBAUT, AND ZERINGUE

AN ACT

To enact R.S. 47:306(B), relative to collection of advance sales tax; to require the advance collection of sales tax by certain wholesalers; to authorize the secretary of the Department of Revenue to promulgate rules; 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. 106—

BY REPRESENTATIVE IVEY

AN ACT

To enact R.S. 47:287.82, relative to corporate income tax; to provide with respect to certain corporate deductions; to require that certain deductible items and costs be added-back when computing corporate income tax liability; to provide for certain limitations; to provide for applicability; 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. 107—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 47:633(7)(d) and to repeal R.S. 47:633(7)(d), relative to severance tax; to provide with respect to special tax treatment regarding the severance taxes on oil and natural gas; to provide for the severance tax on production from certain horizontally drilled wells; to provide for the amount and duration of the exemption for certain horizontally drilled wells; to provide for applicability; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 108—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 47:633(7)(d)(introductory paragraph) and to enact R.S. 47:633(d)(iii), relative to severance tax exemptions; to suspend the severance tax exemption for the horizontal drilling of oil and natural gas for a certain period of time; 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.

HOUSE BILL NO. 109—

BY REPRESENTATIVE HUNTER

AN ACT

To repeal R.S. 47:633(7)(d), relative to certain severance tax exemptions; to repeal the severance tax exemptions for the

horizontal drilling of oil and natural gas; and to provide for an effective date.

Read by title.

Motion

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

HOUSE BILL NO. 110—

BY REPRESENTATIVE PUGH

AN ACT

To enact R.S. 47:302(V), relative to the collection of sales and use taxes; to provide for definitions; to establish certain requirements for persons engaging in and facilitating business in a taxing jurisdiction; to require reporting; to provide for the issuance of permits; to provide for exceptions; to authorize fees and penalties; to provide for appeals; to authorize rulemaking; to provide for severability; 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. 111—

BY REPRESENTATIVE MARCELLE

AN ACT

To amend and reenact R.S. 32:8(B) and R.S. 47:1676(E)(1) and to repeal R.S. 47:1676(E)(2) and (3), relative to the elimination of the Debt Recovery Fund; to provide for the elimination of the Debt Recovery Fund; to provide for nullification of appropriations from the Debt Recovery 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. 112—

BY REPRESENTATIVE LEGER

AN ACT

To appropriate funds and to make and otherwise provide for certain reductions in appropriations 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 the 2015-2016 Fiscal Year; 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 Appropriations.

HOUSE BILL NO. 113—

BY REPRESENTATIVE HILFERTY

AN ACT

To enact R.S. 47:306(F), relative to state sales and use tax; requires online or catalog retailers that are not domiciled in Louisiana to provide notice to Louisiana purchasers that Louisiana sales and use taxes may be due on the purchases; defines terms; provides for the details of such notice; prohibits the imposition of criminal penalties or civil liabilities; 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
Appropriations

February 22, 2016

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 Harris, L.
Reported with amendments. (18-0)

House Bill No. 42, by Morris, Jay
Reported with amendments. (20-0)

House Bill No. 44, by Broadwater
Reported favorably. (10-9)

House Bill No. 96, by Richard (Joint Resolution)
Reported favorably. (18-0)

House Bill No. 100, by Talbot
Reported with amendments. (15-3)

Senate Bill No. 1, by Martiny
Reported favorably. (20-0)

CAMERON HENRY
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Privileged Report of the Committee on Enrollment

February 22, 2016

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. 10—

BY REPRESENTATIVE WHITE

A RESOLUTION

To commend Willie B. Peters upon the celebration of his sixty-first birthday.

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. Henry, the rules were suspended to permit the Committee on Appropriations to meet on Tuesday, February 23,

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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. 77, 86, and 89

Suspension of the Rules

On motion of Rep. Abramson, the rules were suspended to permit the Committee on Ways and Means to meet on Tuesday, February 23, 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. 5, 7, 14, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 39, 43, 46, 47, 54, 55, 57, 58, 59, 61, 62, 64, 72, 75, 76, 80, 87, 93, 95, and 99

Leave of Absence

Rep. Shadoin - 1 day

Adjournment

On motion of Rep. Billiot, at 6:07 P.M., the House agreed to adjourn until Tuesday, February 23, 2016, at 5:00 P.M.

The Speaker of the House declared the House adjourned until 5:00 P.M., Tuesday, February 23, 2016.

ALFRED W. SPEER
Clerk of the House