

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

ELEVENTH 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

Friday, February 26, 2016

The House of Representatives was called to order at 10:10 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	Foile	Leger
Abraham	Franklin	Leopold
Abramson	Gaines	Lopinto
Adams	Garofalo	Lyons
Amedee	Gisclair	Mack
Anders	Glover	Magee
Armes	Guinn	Marcelle
Bacala	Hall	Miguez
Bagley	Harris, J.	Miller, D.
Bagneris	Harris, L.	Montoucet
Berthelot	Havard	Moreno
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	Smith
Danahay	Jenkins	Stokes
Davis	Johnson, M.	Talbot
DeVillier	Johnson, R.	Thibaut

Dwight
Edmonds
Emerson
Falconer
Total - 101

Jones
Landry, N.
Landry, T.
LeBas

White
Willmott
Zeringue

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

Prayer

Prayer was offered by Rep. Broadwater.

Pledge of Allegiance

Rep. Leopold 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 25, 2016, 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**

February 26, 2016

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 No. 4

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. 4—
BY SENATOR CLAITOR**

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to three marine leagues.

Read by title.

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

Page 2 HOUSE

11th Day's Proceedings - February 26, 2016

LOUISIANA HOUSE OF REPRESENTATIVES Office of the Clerk

February 26, 2016

To: All Members of the House of Representatives

From: Alfred W. Speer

Re: Appropriations Committee Election

The following member was elected to the Appropriations Committee in accordance with House Rule 6.4:

BESE District 7 - Representative Bob Hensgens - Elected
Election Results: Bob Hensgens - 6 votes; Jack Montoucet
- 4 votes

Reconsideration

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

HOUSE BILL NO. 39—

BY REPRESENTATIVES STOKES AND WILLMOTT
AN ACT

To amend and reenact R.S. 47:551, relative to automobile rental tax; to levy an automobile rental tax; to provide for collection and distribution of the tax; to provide for certain definitions; to authorize promulgation of rules; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Stokes, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

HOUSE BILL NO. 72—

BY REPRESENTATIVE SHADOIN
AN ACT

To amend and reenact R.S. 47:302(C) and 331(C)(1) and (2), relative to state sales and use tax; to provide for the tax on telecommunications services; to establish the tax rate; to provide for effectiveness; and to provide for related matters.

Read by title.

On motion of Rep. Shadoin, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

Notice of Intention to Call

Rep. Shadoin moved to suspend the rules pursuant to House Rule No. 8.26(A), and gave notice of his intention to call House Bill No. 72 from the calendar today.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

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 state 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.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jay Morris gave notice of his intention to call House Concurrent Resolution No. 4 from the calendar on Wednesday, March 2, 2016.

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. 78—

BY REPRESENTATIVE IVEY

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(A) of the Constitution of Louisiana, relative to income taxation; to provide with respect to the rates and brackets for purposes of calculating individual income taxes; to provide with respect to the deductibility of federal income taxes paid for purposes of computing state income taxes; to provide for applicability; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ivey to Engrossed House Bill No. 78 by Representative Ivey

AMENDMENT NO. 1

On page 1, line 4, after "calculating" and before "income" delete "individual" and insert "corporate"

AMENDMENT NO. 2

On page 1, line 5, after "state" and before "income" insert "corporate"

AMENDMENT NO. 3

On page 1, delete lines 13 through 19 in their entirety and insert the following:

"Section 4.(A) Income Tax. Equal and uniform taxes may be levied on net incomes, and these taxes may be graduated according to the amount of net income. However, the state individual and joint income tax schedule of rates and brackets shall never exceed the rates and brackets set forth in Title 47 of the Louisiana Revised Statutes on January 1, 2003. The maximum rate for state corporate income taxes shall not exceed eight percent. Federal income taxes paid shall be allowed as a deductible item in computing state individual income taxes for the same period."

AMENDMENT NO. 4

On page 2, line 12, after "state" and before "income" insert "corporate"

AMENDMENT NO. 5

On page 2, line 13, after "for" and before "percent" delete "individual income tax at six" and insert "corporate income tax at eight"

On motion of Rep. Ivey, the amendments were withdrawn.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ivey gave notice of his intention to call House Bill No. 78 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 79—

BY REPRESENTATIVE IVEY

AN ACT

To amend and reenact R.S. 47:241 and 287.69 and to repeal R.S. 47:55(5), 287.79, 287.83, 287.85, 287.442(B)(1), relative to income tax; to provide relative to the deductibility of federal income taxes; to repeal deductibility of federal income taxes paid for purposes of calculating corporate income taxes; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ivey gave notice of his intention to call House Bill No. 79 from the calendar on Monday, February 29, 2016.

HOUSE BILL NO. 81—

BY REPRESENTATIVE THIBAUT

A JOINT RESOLUTION

Proposing to repeal Article VII, Section 2.2 of the Constitution of Louisiana, relative to limitations on the power of taxation; to repeal certain constitutional sales and use tax exclusions and exemptions; 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. Thibaut, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Thibaut gave notice of his intention to call House Bill No. 81 from the calendar on Monday, February 29, 2016.

HOUSE BILL NO. 84—

BY REPRESENTATIVES JACKSON, BOUIE, DAVIS, JIMMY HARRIS, HILFERTY, AND HUNTER AND SENATOR BARROW

A JOINT RESOLUTION

Proposing to amend Article VII, Section 27(A) of the Constitution of Louisiana, to provide for a state sales tax on motor fuels; to

authorize the state to levy and collect a sales tax on motor fuels; to require approval of the electors; 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. Jackson, the bill was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jackson gave notice of her intention to call House Bill No. 84 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 101—

BY REPRESENTATIVE JACKSON

AN ACT

To amend and reenact R.S. 47:301(3) through (17) and (18)(d)(ii), (h), (i) through (l), and (o), 302(A), (B), and (C)(1), 305(A)(2), (C), (D)(1)(b) through (d) and (g) through (i), (F), (H)(introductory paragraph), and (I), 305.1(A) and (B), 305.6, 305.7, 305.9, 305.13, 305.14(A)(1), 305.16, 305.17, 305.18, 305.19, 305.20(A), (C)(introductory paragraph), and (G), 305.26, 305.28(A), 305.33, 305.39, 305.40, 305.41(A), 305.42, 305.43, 305.44(A)(introductory paragraph), 305.45(A)(introductory paragraph) and (B), 305.49, 305.50(A)(1) and (2)(a)(introductory paragraph) and (F), 305.51(A), 305.56, 305.57(A), 305.59, 305.60, 305.61(A), 305.64(A)(1), (B), and (C), 305.65(A) and (C), 305.68, 305.70, 305.71, and 315.2 and to enact R.S. 47:302(V), 321(L), and 331(S), relative to state sales and use taxes; to provide with respect to the rate of state sales and use taxes; to increase the rates of state sales and use taxes; to provide with respect to the applicability of exclusions and exemptions from sales and use taxes; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jackson gave notice of her intention to call House Bill No. 101 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 103—

BY REPRESENTATIVE IVEY

AN ACT

To amend and reenact R.S. 47:287.12, relative to corporation income tax; to provide relative to the rate of the corporation income tax; to provide for a flat tax rate; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ivey gave notice of his intention to call House Bill No. 103 from the calendar on Wednesday, March 2, 2016.

Page 4 HOUSE

11th Day's Proceedings - February 26, 2016

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.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ivey gave notice of his intention to call House Bill No. 106 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 114—

BY REPRESENTATIVE THIBAUT

AN ACT

To amend and reenact R.S. 47:302(A), (B), and (C)(1), relative to state sales and use tax; to provide for the rates of the state sales and use tax; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Thibaut gave notice of his intention to call House Bill No. 114 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 115—

BY REPRESENTATIVE IVEY

AN ACT

To enact Subpart P-4 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. 39:100.111 relative to state revenues; to create the Mineral Revenue Fund; to provide for the deposit, use and investment of monies in the fund; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ivey gave notice of his intention to call House Bill No. 115 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 116—

BY REPRESENTATIVE IVEY

AN ACT

To amend and reenact R.S. 47:287.86(C)(2), relative to the net operating loss deduction; to provide for the order of loss years from which a net operating loss may be carried over; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Ivey moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dwight	Jefferson
Abraham	Edmonds	Johnson, R.
Abramson	Emerson	Jones
Adams	Falconer	Landry, N.
Amedee	Foil	Leopold
Bacala	Garofalo	Lopinto
Bagley	Glover	Mack
Berthelot	Guinn	Miguez
Billiot	Harris, L.	Miller, D.
Bishop	Havard	Morris, Jay
Broadwater	Hazel	Morris, Jim
Carter, S.	Henry	Pearson
Chaney	Hilferty	Schexnayder
Connick	Hodges	Schroder
Coussan	Hoffmann	Seabaugh
Cox	Horton	Shadoin
Cromer	Huval	Stokes
Danahay	Ivey	Talbot
Davis	Jackson	White
DeVillier	James	Willmott
Total - 60		

NAYS

Anders	Hall	Norton
Armes	Harris, J.	Pierre
Bagneris	Hill	Pope
Bouie	Howard	Price
Brown, C.	Hunter	Pylant
Brown, T.	Jenkins	Reynolds
Carpenter	Landry, T.	Richard
Carter, G.	Lyons	Smith
Carter, R.	Magee	Zeringue
Franklin	Marcelle	
Gisclair	Montoucet	
Total - 31		

ABSENT

Carmody	Johnson, M.	Moreno
LeBas	Pugh	Miller, G.
Gaines	Leger	Simon
Hensgens	McFarland	Thibaut
Hollis		
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ivey 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. 117—

BY REPRESENTATIVE IVEY

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.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Ivey gave notice of his intention to call House Bill No. 117 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 118—

BY REPRESENTATIVES BARRAS AND HENRY AND SENATORS ALARIO AND LAFLEUR

AN ACT

To appropriate funds and to provide for certain reductions in appropriations of the Louisiana Judiciary for Fiscal Year 2015-2016; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Henry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Emerson	Leopold
Abraham	Falconer	Lopinto
Abramson	Foil	Lyons
Adams	Franklin	Mack
Amedee	Garofalo	Marcelle
Anders	Gisclair	Miguez
Armes	Glover	Montoucet
Bacala	Guinn	Moreno
Bagley	Hall	Morris, Jay
Bagneris	Harris, L.	Morris, Jim
Berthelot	Havard	Pearson
Billiot	Henry	Pierre
Bishop	Hensgens	Pope
Bouie	Hodges	Price
Broadwater	Hoffmann	Pylant
Brown, T.	Horton	Reynolds
Carpenter	Howard	Richard
Carter, G.	Huval	Schexnayder
Carter, R.	Ivey	Schroder
Carter, S.	Jefferson	Seabaugh
Chaney	Jenkins	Shadoin
Cox	Johnson, M.	Smith
Cromer	Jones	Stokes

Danahay
Davis
DeVillier
Edmonds
Total - 80

Landry, N.
Landry, T.
LeBas
Leger

Talbot
White
Zeringue

NAYS

Brown, C.
Coussan
Dwight
Hazel
Total - 11

Hill
Hunter
Jackson
James

Johnson, R.
Magee
Willmott

ABSENT

Carmody
Connick
McFarland
Gaines
Harris, J.
Total - 13

Hilferty
Hollis
Simon
Miller, D.
Miller, G.

Norton
Pugh
Thibaut

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Henry 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. 119—

BY REPRESENTATIVES BARRAS AND HENRY AND SENATORS ALARIO AND LAFLEUR

AN ACT

To appropriate funds and to provide for certain reductions in appropriations of the Louisiana Legislature for Fiscal Year 2015-2016; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Henry moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Leopold
Abraham	Gaines	Lopinto
Abramson	Garofalo	Lyons
Adams	Gisclair	Mack
Amedee	Glover	Magee
Anders	Guinn	Marcelle
Bacala	Hall	Miguez
Bagley	Harris, J.	Miller, D.
Bagneris	Harris, L.	Moreno
Berthelot	Havard	Morris, Jay
Billiot	Hazel	Morris, Jim
Bishop	Henry	Norton
Bouie	Hensgens	Pearson
Broadwater	Hilferty	Pierre
Brown, C.	Hill	Pope
Brown, T.	Hodges	Price
Carpenter	Hoffmann	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	Smith

Page 6 HOUSE

11th Day's Proceedings - February 26, 2016

Danahay	Jenkins	Stokes
Davis	Johnson, M.	Talbot
DeVillier	Johnson, R.	Thibaut
Dwight	Jones	White
Edmonds	Landry, N.	Willmott
Emerson	Landry, T.	Zeringue
Falconer	LeBas	
Foil	Leger	

Total - 97

NAYS

Total - 0

ABSENT

Armes	Hollis	Montoucet
Carmody	McFarland	Simon
Miller, G.		

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Henry 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. 121—

BY REPRESENTATIVES JACKSON, BOUIE, DAVIS, JIMMY HARRIS, HILFERTY, AND HUNTER

AN ACT

To amend and reenact R.S. 47:301(10)(x) and 305(D)(1)(a) and to enact R.S. 47:301.3, relative to the state sales and use tax; to provide for certain definitions for purposes of imposing the state sales and use tax on certain motor fuels; to provide for certain exemptions relative to sales of gasoline; to impose state sales tax on the sales of certain motor fuels; to provide for applicability; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jackson gave notice of her intention to call House Bill No. 121 from the calendar on Wednesday, March 2, 2016.

HOUSE BILL NO. 125—

BY REPRESENTATIVE THIBAUT

AN ACT

To repeal R.S. 47:305(D)(1)(j) and (n) through (r), relative to state sales and use tax; to repeal the state sales and use tax exemption for certain food and prescription drugs; to provide for effectiveness.

Read by title.

Motion

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

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Thibaut gave notice of his intention to call House Bill No. 125 from the calendar on Wednesday, March 2, 2016.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Leger gave notice of his intention to call House Bill Nos. 5 and 14 from the calendar on Monday, February 29, 2016.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. James gave notice of his intention to call House Bill No. 19 from the calendar on Monday, February 29, 2016.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Cox gave notice of his intention to call House Bill Nos. 27 and 28 from the calendar on Monday, February 29, 2016.

HOUSE BILL NO. 29—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 47:287.12, relative to corporation income tax; to provide relative to the rate of the corporation income tax; to reduce the rates of such tax; to provide for applicability; to provide for effectiveness; and to provide for related matters.

Call from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stokes to Engrossed House Bill No. 29 by Representative Leger

AMENDMENT NO. 1

On page 1, line 3, after "income tax;" delete the remainder of the line in its entirety and insert "to provide"

AMENDMENT NO. 2

On page 1, delete lines 7 through 19 in their entirety and on page 2, delete lines 1 and 2 in their entirety and insert the following:

"§287.12. Rates of tax

The tax to be assessed, levied, collected, and paid upon the Louisiana taxable income of every corporation shall be computed at the rate of:

~~(1) Four percent upon the first twenty-five thousand dollars of Louisiana taxable income.~~

~~(2) Five percent upon the amount of Louisiana taxable income above twenty-five thousand dollars but not in excess of fifty thousand dollars.~~

~~(3) Six percent on the amount of Louisiana taxable income above fifty thousand dollars but not in excess of one hundred thousand dollars.~~

~~(4) Seven percent on the amount of Louisiana taxable income above one hundred thousand dollars but not in excess of two hundred thousand dollars.~~

~~(5) Eight percent six and one-half of one percent on all Louisiana taxable income in excess of two hundred thousand dollars."~~

AMENDMENT NO. 3

On page 2, line 5, after "effect" delete the remainder of the line and insert the following:

"on January 1, 2017, and shall become operative if the proposed"

AMENDMENT NO. 4

On page 2, line 7, after "House Bill" and before "of this" delete "No. ____" and insert "No. 31"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Leger
Abraham	Franklin	Leopold
Abramson	Gaines	Lopinto
Adams	Garofalo	Lyons
Amedee	Gisclair	Magee
Anders	Glover	Marcelle
Armes	Guinn	Miguez
Bacala	Hall	Miller, D.
Bagley	Harris, J.	Montoucet
Bagneris	Harris, L.	Moreno
Billiot	Havard	Morris, Jay
Bouie	Hazel	Morris, Jim
Broadwater	Hilferty	Norton
Brown, C.	Hill	Pearson
Brown, T.	Hoffmann	Pierre
Carpenter	Hollis	Pope
Carter, G.	Horton	Price
Carter, R.	Howard	Reynolds
Carter, S.	Hunter	Richard
Chaney	Ivey	Schroder
Connick	Jackson	Seabaugh
Coussan	James	Shadoin
Cox	Jefferson	Smith
Cromer	Jenkins	Stokes
Danahay	Johnson, M.	Talbot
Davis	Johnson, R.	Thibaut
DeVillier	Jones	White
Dwight	Landry, N.	Willmott
Emerson	Landry, T.	Zeringue
Falconer	LeBas	
Total - 89		

NAYS

Berthelot	Hensgens	Mack
Bishop	Hodges	Pylant
Edmonds	Huval	Schexnayder
Total - 9		

ABSENT

Carmody	McFarland	Simon
Miller, G.	Henry	
Pugh		
Total - 6		

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. Leger 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. 31—

BY REPRESENTATIVE LEGER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(A) of the Constitution of Louisiana, relative to income taxation; to provide with respect to the deductibility of federal income taxes paid for purposes of computing state income taxes; to provide for applicability; to provide for an effective date; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Call from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jay Morris to Engrossed House Bill No. 31 by Representative Leger

AMENDMENT NO. 1

On page 1, line 4, after "state" and before "income" insert "corporate"

AMENDMENT NO. 2

On page 1, delete lines 16 and 17 in their entirety and insert the following:

"Revised Statutes on January 1, 2003. Federal income taxes paid shall be allowed as a deductible item in computing state individual income taxes for the same period."

AMENDMENT NO. 3

On page 2, line 12, after "state" and before "income" insert "corporate"

On motion of Rep. Jay Morris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Lyons
Abraham	Gisclair	Mack
Abramson	Glover	Magee
Adams	Guinn	Marcelle
Anders	Hall	Miller, D.
Armes	Harris, J.	Montoucet
Bacala	Harris, L.	Moreno
Bagley	Havard	Morris, Jay
Bagneris	Hazel	Morris, Jim
Berthelot	Hilferty	Norton
Billiot	Hill	Pearson
Bouie	Hoffmann	Pierre
Broadwater	Hollis	Pope
Brown, C.	Howard	Price
Brown, T.	Hunter	Pylant
Carpenter	Ivey	Reynolds

Page 8 HOUSE

11th Day's Proceedings - February 26, 2016

Carter, G.	Jackson	Schexnayder
Carter, R.	James	Schroder
Carter, S.	Jefferson	Shadoin
Chaney	Jenkins	Smith
Cox	Johnson, R.	Stokes
Danahay	Jones	Talbot
Davis	Landry, N.	Thibaut
Dwight	Landry, T.	White
Falconer	LeBas	Willmott
Foil	Leger	Zeringue
Franklin	Leopold	
Gaines	Lopinto	

Total - 82

NAYS

Amedee	DeVillier	Johnson, M.
Bishop	Edmonds	Miguez
Connick	Emerson	Richard
Coussan	Hodges	Seabaugh
Cromer	Horton	

Total - 14

ABSENT

Carmody	Hensgens	Miller, G.
Huval	Pugh	Henry
McFarland	Simon	

Total - 8

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. Leger 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. 95—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 47:241, 287.69, 293(10), 300.6(A), and 300.7(A) and to repeal R.S. 47:55(5), 287.79, 287.83, 287.85, 287.442(B)(1), 293(4) and (9)(a)(ii), 296.1(B)(3)(c), and 298, relative to income tax; to provide relative to the deductibility of federal income taxes; to repeal deductibility of federal income taxes paid for purposes of calculating individual and corporate income taxes; to provide for applicability; to provide for an effective date; and to provide for related matters.

Call 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. 95 by Representative Leger

AMENDMENT NO. 1

On page 1, line 2, after "241" delete the comma "," and delete the remainder of the line and insert "and 287.69 and to repeal"

AMENDMENT NO. 2

On page 1, line 3, after "287.85," delete the remainder of the line and from the beginning of line 4, delete "296.1(B)(3)(c), and 298," and insert "and 287.442(B)(1),"

AMENDMENT NO. 3

On page 1, line 6, after "calculating" and before "corporate" delete "individual and"

AMENDMENT NO. 4

On page 1, line 9, after "Section 1." delete the remainder of the line in its entirety and insert "R.S. 47:241 and 287.69 are hereby"

AMENDMENT NO. 5

On page 2, delete lines 14 through 29 in their entirety and on page 3, delete lines 1 through 21 in their entirety

AMENDMENT NO. 6

On page 3, line 22, after "287.85," delete the remainder of the line in its entirety and delete line 23 in its entirety and insert "and 287.442(B)(1) are hereby repealed in their entirety."

AMENDMENT NO. 7

On page 3, line 28, after "No. 31 of" and before "First" delete "this" and insert "the 2016"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Leger to Engrossed House Bill No. 95 by Representative Leger

AMENDMENT NO. 1

On page 1, line 12, after "individual" and before "subject" delete "or a corporation"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lopinto
Abraham	Garofalo	Lyons
Abramson	Gisclair	Mack
Adams	Glover	Magee
Anders	Guinn	Marcelle
Arnes	Hall	Miller, D.
Bacala	Harris, J.	Montoucet
Bagley	Harris, L.	Moreno
Bagneris	Havard	Morris, Jay
Berthelot	Hazel	Morris, Jim
Billiot	Henry	Norton
Bouie	Hilferty	Pearson
Broadwater	Hill	Pierre
Brown, C.	Hoffmann	Pope
Brown, T.	Hollis	Price
Carpenter	Howard	Pylant
Carter, G.	Hunter	Reynolds
Carter, R.	Ivey	Schexnayder
Carter, S.	Jackson	Schroder
Chaney	James	Shadoin

Connick	Jefferson	Smith
Cox	Jenkins	Stokes
Danahay	Johnson, R.	Talbot
Davis	Jones	Thibaut
Dwight	Landry, T.	White
Falconer	LeBas	Willmott
Foil	Leger	Zeringue
Franklin	Leopold	
Total - 83		

NAYS

Amedee	Emerson	Landry, N.
Bishop	Hensgens	Miguez
Coussan	Hodges	Richard
Cromer	Horton	Seabaugh
DeVillier	Huval	
Edmonds	Johnson, M.	
Total - 16		

ABSENT

Carmody	McFarland	Pugh
Miller, G.	Simon	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Leger 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.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Leger gave notice of his intention to call House Bill Nos. 32, 33, and 34 from the calendar on Monday, February 29, 2016.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. James gave notice of his intention to call House Bill Nos. 46 and 47 from the calendar on Monday, February 29, 2016.

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.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jay Morris to Engrossed House Bill No. 61 by Representative Jay Morris

AMENDMENT NO. 1

On page 1, line 12, after "318(A)," delete the remainder of the line

AMENDMENT NO. 2

On page 3, line 6, change "321" to "302"

AMENDMENT NO. 3

On page 4, line 17, change "321" to "302"

AMENDMENT NO. 4

On page 5, at the beginning of line 2, delete "321(H), (I), (J), and (K)."

AMENDMENT NO. 5

On page 7, line 7, change "321" to "302"

AMENDMENT NO. 6

On page 7, line 13, change "321" to "302"

AMENDMENT NO. 7

On page 7, line 22, change "321" to "302"

AMENDMENT NO. 8

On page 8, line 14, change "321" to "302"

AMENDMENT NO. 9

On page 12, line 16, change "321" to "302"

AMENDMENT NO. 10

On page 12, line 21, change "321" to "302"

AMENDMENT NO. 11

On page 13, line 15, change "321" to "302"

AMENDMENT NO. 12

On page 14, line 2, change "321" to "302"

AMENDMENT NO. 13

On page 14, line 21, change "321" to "302"

AMENDMENT NO. 14

On page 14, line 28, change "321" to "302"

Page 10 HOUSE

11th Day's Proceedings - February 26, 2016

AMENDMENT NO. 15

On page 15, line 4, change "321" to "302"

AMENDMENT NO. 16

On page 15, line 12, change "321" to "302"

AMENDMENT NO. 17

On page 16, line 10, change "321" to "302"

AMENDMENT NO. 18

On page 16, line 20, change "321" to "302"

AMENDMENT NO. 19

On page 17, line 5, change "321" to "302"

AMENDMENT NO. 20

On page 22, line 18, change "321" to "302"

AMENDMENT NO. 21

On page 22, line 23, change "321" to "302"

AMENDMENT NO. 22

On page 23, line 28, change "321" to "302"

AMENDMENT NO. 23

On page 24, line 7, change "321" to "302"

AMENDMENT NO. 24

On page 24, line 11, change "321" to "302"

AMENDMENT NO. 25

On page 24, line 25, change "321" to "302"

AMENDMENT NO. 26

On page 25, line 4, change "321" to "302"

AMENDMENT NO. 27

On page 25, line 24, change "321" to "302"

AMENDMENT NO. 28

On page 26, line 28, change "321" to "302"

AMENDMENT NO. 29

On page 28, line 12, change "321" to "302"

AMENDMENT NO. 30

On page 30, line 2, change "321" to "302"

AMENDMENT NO. 31

On page 30, line 6, change "321" to "302"

AMENDMENT NO. 32

On page 30, line 21, change "321" to "302"

AMENDMENT NO. 33

On page 30, line 28, change "321" to "302"

AMENDMENT NO. 34

On page 31, line 8, change "321" to "302"

AMENDMENT NO. 35

On page 31, line 14, change "321" to "302"

AMENDMENT NO. 36

On page 31, line 19, change "321" to "302"

AMENDMENT NO. 37

On page 32, line 19, change "321" to "302"

AMENDMENT NO. 38

On page 32, line 24, change "321" to "302"

AMENDMENT NO. 39

On page 33, line 8, change "321" to "302"

AMENDMENT NO. 40

On page 35, line 12, change "321" to "302"

AMENDMENT NO. 41

On page 36, line 15, change "321" to "302"

AMENDMENT NO. 42

On page 36, line 29, change "321" to "302"

AMENDMENT NO. 43

On page 37, line 11, change "321" to "302"

AMENDMENT NO. 44

On page 37, line 17, change "321" to "302"

AMENDMENT NO. 45

On page 38, line 4, change "321" to "302"

AMENDMENT NO. 46

On page 39, line 2, change "321" to "302"

AMENDMENT NO. 47

On page 39, line 25, change "321" to "302"

AMENDMENT NO. 48

On page 40, line 10, change "321" to "302"

AMENDMENT NO. 49

On page 40, line 28, change "321" to "302"

AMENDMENT NO. 50

On page 41, line 24, change "321" to "302"

AMENDMENT NO. 51

On page 41, line 27, change "321" to "302"

AMENDMENT NO. 52

On page 43, line 13, change "321" to "302"

AMENDMENT NO. 53

On page 44, line 26, change "321" to "302"

AMENDMENT NO. 54

On page 45, line 2, change "321" to "302"

AMENDMENT NO. 55

On page 48, line 8, change "321" to "302"

AMENDMENT NO. 56

On page 48, line 25, change "321" to "302"

AMENDMENT NO. 57

On page 49, line 11, change "321" to "302"

AMENDMENT NO. 58

On page 49, line 27, change "321" to "302"

AMENDMENT NO. 59

On page 50, line 28, change "321" to "302"

AMENDMENT NO. 60

On page 51, line 1, change "321" to "302"

AMENDMENT NO. 61

On page 53, line 18, change "321" to "302"

AMENDMENT NO. 62

On page 54, line 11, change "321" to "302"

AMENDMENT NO. 63

On page 55, line 8, change "321" to "302"

AMENDMENT NO. 64

On page 56, line 1, change "321" to "302"

AMENDMENT NO. 65

On page 56, line 17, change "321" to "302"

AMENDMENT NO. 66

On page 56, line 19, change "321" to "302"

AMENDMENT NO. 67

On page 57, line 12, change "321" to "302"

AMENDMENT NO. 68

On page 57, line 17, change "321" to "302"

AMENDMENT NO. 69

On page 57, line 24, change "321" to "302"

AMENDMENT NO. 70

On page 58, line 2, change "321" to "302"

AMENDMENT NO. 71

On page 58, line 9, change "321" to "302"

AMENDMENT NO. 72

On page 58, line 20, change "321" to "302"

AMENDMENT NO. 73

On page 58, line 23, change "321" to "302"

AMENDMENT NO. 74

On page 59, line 5, change "321" to "302"

AMENDMENT NO. 75

On page 59, line 15, change "321" to "302"

AMENDMENT NO. 76

On page 60, line 2, change "321" to "302"

AMENDMENT NO. 77

On page 60, line 5, change "321" to "302"

AMENDMENT NO. 78

On page 60, line 12, change "321" to "302"

AMENDMENT NO. 79

On page 60, line 16, change "321" to "302"

AMENDMENT NO. 80

On page 60, line 19, change "321" to "302"

AMENDMENT NO. 81

On page 60, line 22, change "321" to "302"

AMENDMENT NO. 82

On page 60, line 28, change "321" to "302"

AMENDMENT NO. 83

On page 61, line 4, change "321" to "302"

AMENDMENT NO. 84

On page 61, line 7, change "321" to "302"

AMENDMENT NO. 85

On page 61, line 10, change "321" to "302"

AMENDMENT NO. 86

On page 61, line 18, change "321" to "302"

Page 12 HOUSE

11th Day's Proceedings - February 26, 2016

AMENDMENT NO. 87

On page 62, line 2, change "321" to "302"

AMENDMENT NO. 88

On page 62, line 9, change "321" to "302"

AMENDMENT NO. 89

On page 62, line 24, change "321" to "302"

AMENDMENT NO. 90

On page 63, line 3, change "321" to "302"

AMENDMENT NO. 91

On page 63, line 12, change "321" to "302"

AMENDMENT NO. 92

On page 63, line 17, change "321" to "302"

AMENDMENT NO. 93

On page 63, line 24, change "321" to "302"

AMENDMENT NO. 94

On page 64, line 6, change "321" to "302"

AMENDMENT NO. 95

On page 64, line 20, change "321" to "302"

AMENDMENT NO. 96

On page 65, line 8, change "321" to "302"

AMENDMENT NO. 97

On page 65, line 15, after "imposed by" and before "and" delete "R.S. 47:321" and insert "R.S. 47:302"

AMENDMENT NO. 98

On page 65, at the beginning of line 25, delete "R.S. 47:321" and insert "R.S. 47:302(C)"

AMENDMENT NO. 99

On page 66, line 14, change "321" to "302"

AMENDMENT NO. 100

On page 66, line 26, change "321" to "302"

AMENDMENT NO. 101

On page 67, line 1, change "321" to "302"

AMENDMENT NO. 102

On page 67, line 7, change "321" to "302"

AMENDMENT NO. 103

On page 67, line 11, change "321" to "302"

AMENDMENT NO. 104

On page 67, line 16, after "imposed by" and before "and" delete "R.S. 47:321(A)", and insert "R.S. 47:302(A)"

AMENDMENT NO. 105

On page 67, line 27, change "321" to "302"

AMENDMENT NO. 106

On page 68, line 6, change "321" to "302"

AMENDMENT NO. 107

On page 68, line 16, change "321" to "302"

AMENDMENT NO. 108

On page 68, line 27, after "imposed by" delete the remainder of the line and insert "R.S. 47:302(A) and R.S."

AMENDMENT NO. 109

On page 69, line 6, after "imposed by" and before "and" delete "R.S. 47:321" and insert "R.S. 47:302"

AMENDMENT NO. 110

On page 69, line 11, change "321" to "302"

AMENDMENT NO. 111

On page 69, line 19, after "imposed by" and before "shall" delete "R.S. 47:321(A)" and insert "R.S. 47:302(A)"

AMENDMENT NO. 112

On page 69, line 25, after "imposed by" and before "and" delete "R.S. 47:321" and insert "R.S. 47:302"

AMENDMENT NO. 113

On page 70, at the beginning of line 8, delete "47:321" and insert "47:302"

AMENDMENT NO. 114

On page 70, line 15, after "provisions of" and before "and" delete "R.S. 47:331" delete "R.S. 47:321(A) and (B)" and insert "R.S. 47:302(A) and (B)"

AMENDMENT NO. 115

On page 70, at the end of line 20, change "321" to "302"

AMENDMENT NO. 116

On page 70, line 28, change "321" to "302"

AMENDMENT NO. 117

On page 71, line 6, change "321" to "302"

AMENDMENT NO. 118

On page 71, line 14, change "321" to "302"

AMENDMENT NO. 119

On page 71, line 21, change "321" to "302"

AMENDMENT NO. 120

On page 71, line 26, change "321" to "302"

AMENDMENT NO. 121

On page 71, line 29, change "321" to "302"

AMENDMENT NO. 122

On page 72, line 6, change "321" to "302"

AMENDMENT NO. 123

On page 72, line 13, change "321" to "302"

AMENDMENT NO. 124

On page 72, line 24, change "321" to "302"

AMENDMENT NO. 125

On page 73, line 3, change "321" to "302"

AMENDMENT NO. 126

On page 73, line 10, change "321" to "302"

AMENDMENT NO. 127

On page 73, line 17, change "321" to "302"

AMENDMENT NO. 128

On page 73, line 25, change "321" to "302"

AMENDMENT NO. 129

On page 74, line 4, change "321" to "302"

AMENDMENT NO. 130

On page 74, line 12, change "321" to "302"

AMENDMENT NO. 131

On page 74, line 17, change "321" to "302"

AMENDMENT NO. 132

On page 74, line 28, change "321" to "302"

AMENDMENT NO. 133

On page 75, line 7, change "321" to "302"

AMENDMENT NO. 134

On page 75, line 11, change "321" to "302"

AMENDMENT NO. 135

On page 75, line 16, change "321" to "302"

AMENDMENT NO. 136

On page 75, line 23, change "321" to "302"

AMENDMENT NO. 137

On page 75, line 28, change "321" to "302"

AMENDMENT NO. 138

On page 76, delete lines 13 through 29 in their entirety, delete page 77 in its entirety and on page 78, delete lines 1 through 18 in their entirety

AMENDMENT NO. 139

On page 79, line 24, change "321" to "302"

AMENDMENT NO. 140

On page 80, line 11, change "321" to "302"

AMENDMENT NO. 141

On page 80, at the beginning of line 21, delete "Regular" and insert "First Extraordinary"

On motion of Rep. Jay Morris, the amendments were adopted.

Rep. Pierre, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pierre to Engrossed House Bill No. 61 by Representative Jay Morris

AMENDMENT NO. 1

On page 1, line 9, change "305.44(A)" to "305.44(A)(introductory paragraph)"

AMENDMENT NO. 2

On page 4, at the end of line 27, change "305.44(A)" to "305.44(A)(introductory paragraph)"

AMENDMENT NO. 3

On page 15, line 25, change "R.S. 32:1252(4)" to "R.S. 32:1252(35)"

AMENDMENT NO. 4

On page 15, line 26, change "R.S. 32:1252(11)" to "R.S. 32:1252(24)"

AMENDMENT NO. 5

On page 36, at the end of line 10, delete "herein." and insert "in this Section."

AMENDMENT NO. 6

On page 80, delete line 19 in its entirety and insert "is hereby repealed in its entirety"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Montoucet and Hensgens to Engrossed House Bill No. 61 by Representative Jay Morris

AMENDMENT NO. 1

On page 1, line 4, after "(T)," and before "(5)" delete "305(A)(2), (4)(a)," and insert "305(A)(4)(a),"

Page 14 HOUSE

11th Day's Proceedings - February 26, 2016

AMENDMENT NO. 2

On page 1, line 7, after "305.20(C)," delete the remainder of the line in its entirety and insert "305.26,"

AMENDMENT NO. 3

On page 4, line 23, after "(T)," and before "(5)" delete "305(A)(2), (4)(a)," and insert "305(A)(4)(a),"

AMENDMENT NO. 4

On page 4, at the beginning of line 26, delete "305.25(A)(introductory paragraph),"

AMENDMENT NO. 5

On page 58, delete lines 7 through 16 in their entirety

AMENDMENT NO. 6

On page 58, line 19, after "taxes" delete the remainder of the line and delete line 20 in its entirety and insert "levied by taxing authorities."

AMENDMENT NO. 7

On page 58, at the end of line 22 and the beginning of line 23, delete "under R.S. 47:321 and 331"

AMENDMENT NO. 8

On page 59, at the end of line 4 and the beginning of line 5, delete "under R.S. 47:321 and 331"

AMENDMENT NO. 9

On page 59, at the end of line 14 and the beginning of line 15, delete "under R.S. 47:321 and 331"

AMENDMENT NO. 10

On page 60, line 16, after "farmer" delete the remainder of the line, and delete line 17 in its entirety, and insert a period "."

AMENDMENT NO. 11

On page 67, delete lines 15 through 23 in their entirety

Rep. Montoucet moved the adoption of the amendments.

Rep. Jay Morris objected.

By a vote of 86 yeas and 13 nays, the amendments were adopted.

Motion

On motion of Rep. Jay Morris, the bill, as amended, was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jay Morris gave notice of his intention to call House Bill No. 61 from the calendar on Monday, February 29, 2016.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Montoucet gave notice of his intention to call House Bill No. 64 from the calendar on Monday, February 29, 2016.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Stokes gave notice of her intention to call House Bill Nos. 75, 76, and 80 from the calendar on Monday, February 29, 2016.

HOUSE BILL NO. 99—

BY REPRESENTATIVE STOKES

AN ACT

To amend and reenact R.S. 47:287.95(A), (C)(1), (D), and (F)(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 income; to provide for applicability; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Stokes moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Falconer	Leger
Abraham	Foil	Leopold
Abramson	Gaines	Lopinto
Adams	Garofalo	Lyons
Amedee	Gisclair	Mack
Anders	Glover	Magee
Armes	Guinn	Marcelle
Bacala	Hall	Miguez
Bagneris	Harris, J.	Miller, D.
Berthelot	Harris, L.	Moreno
Billiot	Havard	Morris, Jay
Bishop	Hazel	Morris, Jim
Bouie	Henry	Norton
Broadwater	Hilferty	Pearson
Brown, C.	Hill	Pierre
Brown, T.	Hodges	Pope
Carmody	Hoffmann	Price
Carpenter	Hunter	Pylant
Carter, G.	Huval	Reynolds
Carter, R.	Ivey	Schexnayder
Carter, S.	Jackson	Shadoin
Chaney	James	Smith
Coussan	Jefferson	Stokes
Cox	Jenkins	Talbot
Danahay	Johnson, R.	Thibaut
Davis	Jones	Willmott
DeVillier	Landry, N.	Zeringue
Dwight	Landry, T.	
Emerson	LeBas	
Total - 85		

NAYS

Edmonds	Horton	Richard
Hensgens	Johnson, M.	Seabaugh
Total - 6		

ABSENT

Bagley	Hollis	Pugh
Connick	Howard	Schroder
Cromer	McFarland	Simon
Miller, G.	White	Franklin
Montoucet		
Total - 13		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Stokes 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.

HOUSE BILL NO. 104—

BY REPRESENTATIVE STOKES

AN ACT

To amend and reenact R.S. 47:301(3), (4)(k), (6), (7), (8), (10), (13), (14), (16), (18), and (28)(a), 302(A), (B), and (C), and 305, to enact R.S. 47:305.72 and 315.6, and to repeal R.S. 4:168 and 227, R.S. 40:582.1 through 582.7, R.S. 47:301.1(D), 305.6, 305.7, 305.8, 305.11, 305.13, 305.16, 305.17, 305.18, 305.19, 305.20, 305.25, 305.26, 305.28, 305.33, 305.37, 305.40, 305.41, 305.42, 305.43, 305.44, 305.45, 305.49, 305.50(E)(1), 305.51, 305.52, 305.53, 305.54, 305.57, 305.58, 305.59, 305.60, 305.61, 305.62, 305.63, 305.64, 305.65, 305.66, 305.67, 305.68, 305.69, 305.70, 305.71, 306(A)(2), 306.1, 306.2, 315.1, 315.2, 315.3, 315.5, and 6001, relative to state sales and use tax; to provide for the definitions necessary for administration and imposition of the tax; to provide rates of tax; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

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

HOUSE BILL NO. 72—

BY REPRESENTATIVE SHADOIN

AN ACT

To amend and reenact R.S. 47:302(C) and 331(C)(1) and (2), relative to state sales and use tax; to provide for the tax on telecommunications services; to establish the tax rate; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Shadoin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dwight	Landry, T.
Abraham	Falconer	LeBas
Abramson	Foil	Leger
Adams	Gaines	Leopold
Anders	Gisclair	Lopinto
Armes	Glover	Lyons
Bacala	Guinn	Magee
Bagley	Hall	Marcelle
Bagneris	Harris, J.	Miller, D.
Berthelot	Havard	Montoucet
Billiot	Hazel	Moreno
Bouie	Henry	Morris, Jay
Broadwater	Hensgens	Pearson
Brown, C.	Hilferty	Pierre
Brown, T.	Hill	Pope
Carmody	Hoffmann	Price
Carpenter	Horton	Reynolds
Carter, G.	Howard	Richard

Carter, R.
Carter, S.
Chaney
Cox
Cromer
Danahay
Davis
DeVillier
Total - 78

Hunter
Huval
Jackson
James
Jefferson
Jenkins
Johnson, R.
Jones
Schexnayder
Shadoin
Smith
Stokes
Talbot
White
Willmott
Zeringue

NAYS

Amedee
Bishop
Connick
Coussan
Edmonds
Emerson
Garofalo
Total - 19

Harris, L.
Hodges
Hollis
Johnson, M.
Landry, N.
Mack
Miguez
Morris, Jim
Norton
Pylant
Schroder
Thibaut

ABSENT

McFarland
Franklin
Ivey
Total - 7

Seabaugh
Miller, G.
Pugh
Simon

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.

HOUSE BILL NO. 22—

BY REPRESENTATIVE JACKSON

AN ACT

To amend and reenact Section 6 of Act No. 126 of the 2015 Regular Session and to repeal Section 3 of Act No. 126 of the 2015 Regular Session of the Legislature, relative to the three-year sunset of reductions to rebates in Act No. 126 of the 2015 Regular Session; to repeal the three-year sunset of reductions made in Act No. 126 of the 2015 Regular Session; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jackson to Engrossed House Bill No. 22 by Representative Jackson

AMENDMENT NO. 1

On page 1, at the end of line 2, change "to repeal" to "to extend"

AMENDMENT NO. 2

On page 1, line 5, after "Session;" and before "the" delete "to repeal" and insert "to extend"

AMENDMENT NO. 3

On page 1, delete lines 14 through 17 in their entirety and insert the following:

"Section 6. The provisions of Section 2 of this Act shall become effective on July 1, 2015, and shall remain effective through ~~June 30, 2018~~ June 30, 2021. The provisions of Sections 3 of this Act shall become effective on ~~July 1, 2018~~ July 1, 2021.

Page 16 HOUSE

11th Day's Proceedings - February 26, 2016

* * *

Section 3. Upon the effectiveness of this Act, in any fiscal year when the Revenue Estimating Conference recognizes a surplus equal to or greater than the aggregate amount of revenue generated by the reductions made in Acts 123, 125, and 126 of the 2015 Regular Session, then the reductions shall be suspended."

AMENDMENT NO. 4

On page 1, at the beginning of line 18, change "Section 3." to "Section 4."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Hall	Leger
Armes	Harris, J.	Lyons
Bagneris	Havard	Marcelle
Billiot	Hill	Miller, D.
Bouie	Hunter	Montoucet
Brown, T.	Jackson	Moreno
Carpenter	James	Norton
Carter, G.	Jefferson	Pierre
Carter, R.	Jenkins	Price
Cox	Johnson, R.	Reynolds
Franklin	Jones	Smith
Gaines	Landry, T.	White
Gisclair	LeBas	
Total - 38		

NAYS

Mr. Speaker	Edmonds	Lopinto
Abraham	Emerson	Mack
Abramson	Falconer	Magee
Adams	Foil	Miguez
Amedee	Garofalo	Morris, Jay
Bacala	Glover	Morris, Jim
Bagley	Gunn	Pearson
Berthelot	Harris, L.	Pope
Bishop	Hazel	Pugh
Broadwater	Henry	Pylant
Brown, C.	Hensgens	Schexnayder
Carmody	Hilferty	Schroder
Carter, S.	Hodges	Seabaugh
Chaney	Hoffmann	Shadoin
Connick	Hollis	Stokes
Coussan	Horton	Talbot
Cromer	Howard	Thibaut
Danahay	Huval	Willmott
Davis	Johnson, M.	Zeringue
DeVillier	Landry, N.	
Dwight	Leopold	
Total - 61		

ABSENT

McFarland	Richard	Simon
Ivey	Miller, G.	
Total - 5		

The Chair declared the above bill failed to pass.

Rep. Lance Harris moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Jackson gave notice of her intention to call House Bill Nos. 23 and 24 from the calendar on Monday, February 29, 2016.

HOUSE BILL NO. 89—

BY REPRESENTATIVE STOKES

AN ACT

To amend and reenact R.S. 46:440.1(E)(4), and to enact R.S. 24:517.3(B) and R.S. 46:440.1(E)(5) and (F), relative to the Medical Assistance Programs Fraud Detection Fund; to authorize certain uses of fund monies; to provide for reimbursement to the legislative auditor from the Department of Health and Hospitals for certain audit services; relative and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pierre, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pierre to Engrossed House Bill No. 89 by Representative Stokes

AMENDMENT NO. 1

On page 1, line 6, delete "relative"

AMENDMENT NO. 2

On page 1, line 8, after "hereby" and before "to" change "reenacted" to "enacted"

AMENDMENT NO. 3

On page 1, line 17, after "hereby" and before "to" change "eancted" to "enacted"

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

Motion

On motion of Rep. Stokes, the bill, as amended, was returned to the calendar.

HOUSE BILL NO. 104—

BY REPRESENTATIVE STOKES

AN ACT

To amend and reenact R.S. 47:301(3), (4)(k), (6), (7), (8), (10), (13), (14), (16), (18), and (28)(a), 302(A), (B), and (C), and 305, to enact R.S. 47:305.72 and 315.6, and to repeal R.S. 4:168 and 227, R.S. 40:582.1 through 582.7, R.S. 47:301.1(D), 305.6, 305.7, 305.8, 305.11, 305.13, 305.16, 305.17, 305.18, 305.19, 305.20, 305.25, 305.26, 305.28, 305.33, 305.37, 305.40, 305.41, 305.42, 305.43, 305.44, 305.45, 305.49, 305.50(E)(1), 305.51, 305.52, 305.53, 305.54, 305.57, 305.58, 305.59, 305.60, 305.61, 305.62, 305.63, 305.64, 305.65, 305.66, 305.67, 305.68, 305.69, 305.70, 305.71, 306(A)(2), 306.1, 306.2, 315.1, 315.2, 315.3, 315.5, and 6001, relative to state sales and use tax; to provide for the definitions necessary for administration and imposition of the tax; to provide rates of tax; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stokes to Engrossed House Bill No. 104 by Representative Stokes

AMENDMENT NO. 1

On page 2, after "reenact" delete the remainder of the line, delete line 3 in its entirety, and insert the following:

"R.S. 47:301(3)(a), (10)(c) and (x), (14)(b), 302(A), (B), (C)(1), and 305(D)(1)(a) through (h), to enact R.S. 47:301(14)(l), 305.72, and 315.6, and to"

AMENDMENT NO. 2

On page 1, line 4, after "582.7" and before "305.6" delete "R.S. 47:301.1(D)" and insert the following:

"R.S. 47:301(3)(g) through (k), (4)(k), (8)(b), (10)(a)(v) and (vi), (b), (i), (r), (t), (u), (y), (z), (bb), (ee), (gg), and (hh), (14)(g)(iii), (h), and (k), (16)(b)(ii), (f), (h), (i), (m), (n), (o), (p) and (q), (18)(h), (k) and (m) through (p), and (28), 305(A)(2) and (4) through (6), (D)(2), and (I), 301.1(D)"

AMENDMENT NO. 3

On page 1, line 5, after "305.11," and before "305.16" delete "305.13,"

AMENDMENT NO. 4

On page 1, line 14, after "Section 1." delete the remainder of the line and delete line 15 in its entirety, and insert the following:

"R.S. 47:301(3)(a), (10)(c) and (x), (14)(b), 302(A), (B), (C)(1), and 305(D)(1)(a) through (h) are hereby amended and reenacted and R.S. 47:301(14)(l), 305.72, and"

AMENDMENT NO. 5

On page 2, line 3, after "labor," and before "service" delete "or"

AMENDMENT NO. 6

On page 2, delete lines 8 through 29, and delete pages 3 through 15 in their entirety, and on page 16, delete lines 1 and 4 in their entirety and insert:

** * *

(10)

* * *

AMENDMENT NO. 7

On page 16, delete lines 5 through 28 in their entirety, and delete pages 17 and 18 in their entirety, and on page 19, delete lines 1 through 8 in their entirety

AMENDMENT NO. 8

On page 19, delete lines 21 through 29 in their entirety and insert

** * *

AMENDMENT NO. 9

Delete pages 20 through 23 in their entirety, and on page 24, delete lines 1 through 19 in their entirety

AMENDMENT NO. 10

On page 24, delete lines 27 through 29 in their entirety and insert

** * *

AMENDMENT NO. 11

Delete pages 25 through 32 in their entirety, and on page 33, delete lines 1 through 16 in their entirety

AMENDMENT NO. 12

On page 33, delete line 18 in its entirety, and insert

** * *

AMENDMENT NO. 13

On page 34, delete lines 17 through 23 in their entirety and insert the following:

"(iv) For purposes of the sales and use taxes of all tax authorities in the state, the term "places of amusement" as used herein shall not include camp and retreat facilities owned and operated by nonprofit organizations exempt from federal income tax under Section 501(a) of the Internal Revenue Code as an organization described in Section 501(c)(3) of the Internal Revenue Code provided that the net revenue derived from the organization's property is devoted wholly to the nonprofit organization's purposes."

AMENDMENT NO. 14

On page 34, delete lines 24 through 28 in their entirety, delete pages 35 through 53 in their entirety, and on page 54, delete lines 1 through 8 in their entirety and insert the following:

** * *

(l) Installation of tangible personal property, for purposes of state sales and use tax only."

AMENDMENT NO. 15

On page 55, delete lines 20 through 29 in their entirety, delete pages 56 and 57 in their entirety, and on page 58, delete lines 1 through 15 in their entirety, and insert:

** * *

AMENDMENT NO. 16

On page 58, line 21, change "(b) Steam," to "(b) Steam;"

AMENDMENT NO. 17

On page 58, line 21, between "tax," and "shall" insert "steam"

AMENDMENT NO. 18

On page 58, line 24, after "containers" change the comma "," to a semicolon ";"

AMENDMENT NO. 19

On page 58, line 25, between "tax," and "shall" insert "water"

Page 18 HOUSE

11th Day's Proceedings - February 26, 2016

AMENDMENT NO. 20

On page 58, line 28, after "cogeneration" change the comma "," to a semicolon ";"

AMENDMENT NO. 21

On page 58, line 29, between "tax," and "shall" insert "such power, energy, and materials"

AMENDMENT NO. 22

On page 59, delete line 1

AMENDMENT NO. 23

On page 59, line 4, after "gas" change the comma "," to a semicolon ";"

AMENDMENT NO. 24

On page 59, line 4, between "tax," and "shall" insert "natural gas"

AMENDMENT NO. 25

On page 59, line 6, after "gas" change the comma "," to a semicolon ";"

AMENDMENT NO. 26

On page 59, line 7, between "tax," and "shall" insert "such energy sources"

AMENDMENT NO. 27

On page 59, delete lines 9 through 29 in their entirety, delete pages 60 through 64 in their entirety, and insert:

** * **

AMENDMENT NO. 28

On page 66, line 1, change "Exemptions;" to "exemptions;"

AMENDMENT NO. 29

On page 66, at the end of line 16, insert a period "."

AMENDMENT NO. 30

On page 66, at the end of line 26, change the period "." to a colon ":"

AMENDMENT NO. 31

On page 67, delete line 14, and at the beginning of line 15, change "(1)" to "C.(1)"

AMENDMENT NO. 32

On page 69, line 4, after "582.7" delete the remainder of the line and insert:

"R.S. 47:301(3)(g) through (k), (4)(k), (8)(b), (10)(a)(v) and (vi), (b), (i), (r), (t), (u), (y), (z), (bb), (ee), (gg), and (hh), (14)(g)(iii), (h), and (k), (16)(b)(ii), (f), (h), (i), (m), (n), (o), (p) and (q), (18)(h), (k) and (m) through (p), and (28), 305(A)(2) and (4) through (6), (D)(2), and (I), 301.1(D),"

AMENDMENT NO. 33

On page 69, line 5, after "305.11" and before "305.16" delete "305.13"

AMENDMENT NO. 34

On page 69, delete lines 12 through 16, and insert the following:

"Section 4. This Act shall become effective on April 1, 2016."

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

Motion

On motion of Rep. Stokes, the bill, as amended, was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Stokes gave notice of her intention to call House Bill No. 104 from the calendar on Monday, February 29, 2016.

HOUSE BILL NO. 89—

BY REPRESENTATIVE STOKES

AN ACT

To amend and reenact R.S. 46:440.1(E)(4), and to enact R.S. 24:517.3(B) and R.S. 46:440.1(E)(5) and (F), relative to the Medical Assistance Programs Fraud Detection Fund; to authorize certain uses of fund monies; to provide for reimbursement to the legislative auditor from the Department of Health and Hospitals for certain audit services; relative and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mike Johnson to Engrossed House Bill No. 89 by Representative Stokes

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "and to" delete "R.S. 46:440.1(E)(4)," and insert in lieu thereof the following:

"R.S. 46:437.14(A)(introductory paragraph) and (12) and 440.1(E)(4),"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert in lieu thereof the following:

"46:437.3(31), 437.14(A)(13), (C), and (D), and 440.1(E)(5) and (F), relative to the Medical Assistance Programs Integrity Law; to provide for applicability of such law to contracts of certain health care providers with the Department of Health and Hospitals; to provide grounds for denial or revocation of health care provider enrollment in the medical assistance program of this state known commonly as Medicaid; to provide relative to the Medical Assistance Programs Fraud Detection"

AMENDMENT NO. 3

On page 1, line 16, after "Section 2." and before "hereby" delete "R.S. 46:440.1(E)(4) is" and insert in lieu thereof the following:

"R.S. 46:437.14(A)(introductory paragraph) and (12) and 440.1(E)(4) are"

AMENDMENT NO. 4

On page 1, delete line 17 in its entirety and insert in lieu thereof the following:

"46:437.3(31), 437.14(A)(13), (C), and (D), and 440.1(E)(5) and (F) are hereby enacted to read as follows:"

AMENDMENT NO. 5

On page 1, between lines 17 and 18, insert the following:

"§437.3. Definitions

As used in this Part the following terms shall have the following meanings:

* * *

(31) "Affiliate" means an entity that has with another entity a legal relationship created or governed by at least one written instrument that demonstrates any of the following:

(a) Common ownership, management, or control.

(b) A franchise agreement.

(c) The granting or extension of a license or other agreement that authorizes an entity to use the other entity's brand name, trademark, service mark, or other registered identification mark.

* * *

§437.14. Grounds for denial or revocation of enrollment

A. The department may deny or revoke enrollment in the medical assistance programs to a health care provider if any of the following are found to be applicable to the health care provider, his agent, a managing employee, provider-in-fact, affiliate, or any person having an ownership interest equal to five percent or greater in the health care provider:

* * *

(12)(a) Being found in violation of or entering into a settlement agreement under the provisions of this Part, the Federal False Claims Act, the Federal Civil Monetary Penalties Act, or any other similar civil statutes pertaining to fraud in this state, in any other state, the United States, or a United States territory.

(b) If a False Claims Act action or other similar civil action is brought by a qui tam plaintiff or relator, no violation of this Paragraph has occurred until the defendant has been found liable in the action, either by final judgment or by entering into a settlement agreement which requires the defendant to pay any sum as damages to the relator in the qui tam action and to the federal government or any state government who contends in the settlement agreement that the defendant submitted false claims or made false statements in connection with claims submitted under any of the following programs:

(i) The medical assistance program provided for in Title XIX of the Social Security Act or any other publicly funded medical assistance program.

(ii) Any federal block grant program.

(c) No violation of this Paragraph has occurred if, at minimum, five years have passed from the time a person is found liable or entered a settlement agreement under the False Claims Act, or other similar civil statute, and the conditions of the judgment or settlement have been satisfactorily fulfilled.

(13) Failure to meet any condition of enrollment.

* * *

C. The secretary shall promulgate emergency rules requiring an immediate review of all active provider agreements to require all health care providers enrolled in a medical assistance program to disclose any and all documentation pertaining to the grounds provided in Subsection (A) of this Section, based on conduct by the health care provider, his agent, a managing employee, provider-in-fact, affiliate, or any person having an ownership interest equal to five percent or greater in the health care provider. The emergency rules required by this Subsection shall further require any and all documentation relevant to the grounds listed in Subsection (A) of this Section upon initial application for enrollment, as well as upon renewal, or at any time requested by the department.

D.(1) To protect the interests of this state relative to fiscal integrity and the prevention of fraud in its medical assistance programs, any health care provider that seeks a license to operate in a facility that is maintained, owned, or operated by its affiliate health care provider enrolled in a medical assistance program shall first disclose to the department whether the enrolled provider to which it is an affiliate is subject to being held in violation of the provisions of Paragraph (6), (11), or (12) of Subsection (A) of this Section pertaining to fraud or false claims submitted by the enrolled provider under a state or federal medical assistance program.

(2) If an applicant provided for in Paragraph (1) of this Subsection discloses to the department that the applicant provider, his agent, a managing employee, provider-in-fact, affiliate, or any person having an ownership interest equal to five percent or greater in the health care provider is subject to being considered in violation of the provisions of Paragraph (6), (11), or (12) of Subsection (A) of this Section pertaining to fraud or false claims submitted by the enrolled provider under the medical assistance program provided for in Title XIX of the Social Security Act, any other publicly funded medical assistance program, or any federal block grant program, then the applicant provider shall be considered ineligible to file an application with the department to obtain a license to establish or operate a health care facility in this state.

(3) The ineligibility of a health care provider to apply for a license pursuant to this Section does not depend on imposition by the department of prior or future sanctions on the health care provider, his agent, a managing employee, provider-in-fact, affiliate, or any person having an ownership interest equal to five percent or greater in the health care provider.

(4) If at least five years have passed from the time a provider initially became subject to being considered in violation of the provisions of Paragraph (6), (11), or (12) of Subsection (A) of this Section the provider shall be eligible to apply for a license under this Section."

Point of Order

Rep. James asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were not germane to the subject matter contained in the bill as introduced.

On motion of Rep. Mike Johnson, the amendments were withdrawn.

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

Page 20 HOUSE

11th Day's Proceedings - February 26, 2016

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Leopold
Abraham	Garofalo	Lopinto
Abramson	Gisclair	Lyons
Adams	Glover	Mack
Amedee	Guinn	Magee
Anders	Hall	Marcelle
Armes	Harris, J.	Miguez
Bacala	Harris, L.	Miller, D.
Bagley	Havard	Montoucet
Berthelot	Hazel	Moreno
Billiot	Henry	Morris, Jay
Bishop	Hensgens	Morris, Jim
Bouie	Hilferty	Pearson
Brown, C.	Hodges	Pierre
Brown, T.	Hoffmann	Pope
Carpenter	Hollis	Price
Carter, R.	Horton	Pugh
Carter, S.	Howard	Pylant
Chaney	Hunter	Reynolds
Connick	Huval	Richard
Coussan	Jackson	Schexnayder
Cox	James	Schroder
Cromer	Jefferson	Shadoin
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
Foil	Leger	

Total - 92

NAYS

Total - 0

ABSENT

Bagneris	Franklin	Norton
Broadwater	Hill	Seabaugh
Carmody	Ivey	Simon
Carter, G.	McFarland	
Miller, G.		

Total - 12

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Stokes 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.

Suspension of the Rules

Rep. Stokes moved to suspend the rules in order to call from the calendar House Bill No. 39 today, which motion was agreed to.

HOUSE BILL NO. 39— BY REPRESENTATIVES STOKES AND WILLMOTT AN ACT

To amend and reenact R.S. 47:551, relative to automobile rental tax; to levy an automobile rental tax; to provide for collection and distribution of the tax; to provide for certain definitions; to authorize promulgation of rules; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative James to Engrossed House Bill No. 39 by Representative Stokes

AMENDMENT NO. 1

On page 3, between lines 13 and 14, insert the following:

"(5) The local tax as provided in Subsection A of this Section which is collected in East Baton Rouge Parish shall be distributed as follows:

(a) One-half to the East Baton Rouge Council on Aging.

(b) One-half to Capital Area Human Services."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed House Bill No. 39 by Representative Stokes

AMENDMENT NO. 1

On page 3, between lines 13 and 14, insert the following:

"(5) The local tax as provided in Subsection A of this Section which is collected in Ouachita Parish shall be distributed as follows:

(a) One-half to the Monroe Regional Airport.

(b) One-half to Hampco, Inc.."

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

Motion

On motion of Rep. Stokes, the bill, as amended, was returned to the calendar.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Stokes gave notice of her intention to call House Bill No. 39 from the calendar on Monday, February 29, 2016.

Suspension of the Rules

On motion of Rep. Leger, 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. 15—

BY REPRESENTATIVE CARPENTER

A RESOLUTION

To recognize Saturday, March 12, 2016, as Sigma Gamma Rho Sorority Youth Day in the state of Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 16—

BY REPRESENTATIVE BILLIOT

A RESOLUTION

To commend the Reverend Damian Brown for his service as pastor of Little Zion Baptist Church of Avondale.

Read by title.

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

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

SIGNED SENATE CONCURRENT RESOLUTIONS

February 26, 2016

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 2

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

February 26, 2016

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

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Bills:

Senate Bill Nos. 1 and 4

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Bills and Joint Resolutions contained herein were signed by the Speaker of the House.

Leave of Absence

Rep. McFarland - 1 day

Rep. Gregory Miller - 1 day

Adjournment

On motion of Rep. Billiot, at 1:28 P.M., the House agreed to adjourn until Monday, February 29, 2016, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, February 29, 2016.

ALFRED W. SPEER
Clerk of the House

