OFFICIAL JOURNAL

OF THE **HOUSE OF** REPRESENTATIVES

OF THE

STATE OF LOUISIANA

FOURTH DAY'S PROCEEDINGS

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

> House of Representatives State Capitol Baton Rouge, Louisiana

Friday, May 25, 2018

The House of Representatives was called to order at 1:56 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 Abraham Abramson Amedee Anders Armes Bacala Bagley Bagneris Berthelot Billiot Bishop Bouie Brass Brown, C. Brown, T. Carmody Carpenter Carter, G. Carter, R. Carter, S. Chaney Connick Coussan Cox	Franklin Gaines Garofalo Gisclair Glover Guinn Hall Harris, J. Harris, L. Havard Hazel Henry Hensgens Hilferty Hill Hodges Hoffmann Hollis Horton Howard Hunter Huval Ivey Jackson James	Lyons Mack Magee Marcelle Marino McFarland Miguez Miller, D. Miller, G. Morris, Jay Morris, Jim Muscarello Norton Pearson Pierre Pope Pugh Pylant Reynolds Richard Schexnayder Seabaugh Shadoin Simon Smith
		Seabaugh Shadoin
Cox	Jackson James	Smith
Crews Davis DeVillier Duplessis	Jefferson Jenkins Johnson Jones	Stagni Stefanski Stokes Talbot
Dwight Edmonds Emerson	Jordan Landry, N. Landry, T.	Thibaut Thomas White

Falconer LeBas Wright Foil Leopold Zeringue Total - 102

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

Prayer

Prayer was offered by Rep. Abraham.

Pledge of Allegiance

Rep. Berthelot led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Michael Love sang "The National Anthem".

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 May 24, 2018, was adopted.

Petitions, Memorials, and **Communications**

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

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

May 25, 2018

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

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 5

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. 5—

BY SENATOR LONG
A CONCURRENT RESOLUTION

To commend Russ Springer on being named to the 2018 Louisiana Sports Hall of Fame.

Read by title.

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

Suspension of the Rules

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

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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. 14— BY REPRESENTATIVE FOIL

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Betsy Ann Belba Juneau.

Read by title.

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

House and House Concurrent Resolutions Lying Over

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 12— BY REPRESENTATIVE SMITH

A RESOLUTION

To create the Task Force on Student Fees to study and make recommendations relative to the assessment of fees to students attending public schools and students attending nonpublic schools as part of the Student Scholarships for Educational Excellence Program and to submit a written report of findings and recommendations to the House Committee on Education not later than January 31, 2019.

Read by title.

On motion of Rep. Smith, and under a suspension of the rules, the resolution was ordered passed to its third reading.

Senate Concurrent Resolutions Lying Over

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 4—BY SENATOR ALLAIN

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Center for Energy Studies (LSU CES), the Louisiana State University Public Administration Institute (LSU PAI), and the Louisiana Tax Institute to analyze mineral revenues, taxes, and exemptions in Louisiana and to submit a written report of its findings to the legislature.

Read by title.

On motion of Rep. Bishop, and under a suspension of the rules, the resolution was ordered passed to its third reading.

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. 3-

BY REPRESENTATIVE ABRAMSON

AN ACT

To enact the Omnibus Bond Authorization Act of 2018, relative to the implementation of a five-year capital improvement program;

to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; to provide relative to the submission of capital outlay applications; to provide with respect to the resubmission of certain capital outlay budget requests; to require approval of the commissioner of administration under certain circumstances; to require the capital outlay application to include certain information; to provide relative to line of credit recommendations for capital outlay projects; to require the approval of certain line of credit recommendations; to authorize certain parties to enter into a cooperative endeavor agreement for purposes of capital outlay projects; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Abramson to Engrossed House Bill No. 3 by Representative Abramson

AMENDMENT NO. 1

On page 1, line 11, after "recommendations;" delete the remainder of the line in its entirety and delete line 12 in its entirety and insert "to provide for an'

AMENDMENT NO. 2

On page 8, delete lines 21 through 26 in their entirety and at the beginning of line 27, delete "(B)" and insert "Section 10."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Magee
Abraham	Franklin	Marcelle
Abramson	Gaines	Marino
Amedee	Garofalo	McFarland
Anders	Gisclair	Miguez
Armes	Guinn	Miller, D.
Bacala	Hall	Miller, G.
Bagley	Harris, J.	Morris, Jay
Bagneris	Havard	Morris, Jim
Berthelot	Hazel	Muscarello
Billiot	Henry	Norton
Bishop	Hensgens	Pearson
Bouie	Hilferty	Pierre
Brass	Hill	Pope
Brown, C.	Hodges	Pugh
Brown, T.	Hoffmann	Pylant
Carmody	Hollis	Reynolds
Carpenter	Horton	Richard
Carter, G.	Howard	Schexnayder
Carter, R.	Huval	Seabaugh
Carter, S.	Ivey	Shadoin
Chaney	Jackson	Simon
Connick	James	Smith
Coussan	Jefferson	Stagni
Cox	Jenkins	Stefanski
Crews	Johnson	Stokes

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Davis DeVillier Duplessis Dwight Edmonds Emerson Falconer Total - 98	Jones Jordan Landry, N. Landry, T. LeBas Lyons Mack NAYS	Talbot Thibaut Thomas White Wright Zeringue
Total - 0	ABSENT	

Cromer Harris, L. Leger Glover Hunter Leopold 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. Abramson 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.

Suspension of the Rules

On motion of Rep. Abramson, and under a suspension of the rules, the following bill was taken up out of its regular order at this

HOUSE BILL NO. 28— BY REPRESENTATIVE ABRAMSON AN ACT

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

Read by title.

Rep. Abramson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Abraham Abramson Amedee Anders Armes Bacala Bagley Bagneris Berthelot Billiot Bishop Bouie Brass Brown, C. Brown, T. Carmody Carpenter Carter, G. Carter, R. Carter, S.	Foil Franklin Gaines Garofalo Gisclair Guinn Hall Harris, J. Harris, L. Havard Hazel Henry Hensgens Hilferty Hill Hodges Hoffmann Hollis Horton Howard Huval	Mack Magee Marcelle Marino McFarland Miguez Miller, D. Miller, G. Morris, Jay Morris, Jim Muscarello Norton Pearson Pierre Pope Pugh Pylant Reynolds Richard Schexnayder Seabaugh
Carter, S.	Huval	Seabaugh
Chaney	Ivey	Shadoin

Connick	Jackson	Simon
Coussan	James	Smith
Cox	Jefferson	Stagni
Crews	Jenkins	Stefanski
Davis	Johnson	Stokes
DeVillier	Jones	Talbot
Duplessis	Jordan	Thibaut
Dwight	Landry, N.	Thomas
Edmonds	Landry, T.	White
Emerson	LeBas	Wright
Falconer	Lyons	Zeringue
Total - 99	-	· ·
	314370	

NAYS

Total - 0

ABSENT

Cromer Hunter Leopold Glover Leger

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Abramson 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.

Suspension of the Rules

On motion of Rep. Abramson, and under a suspension of the rules, the following bill was taken up out of its regular order at this

HOUSE BILL NO. 29—
BY REPRESENTATIVE HENRY
AN ACT

To appropriate funds and to make certain reductions from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2017-2018; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Abramson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker Abraham	Franklin Gaines	Mack
Abramson	Garofalo	Magee Marcelle
Amedee	Gisclair	Marino
Anders	Guinn	McFarland
Armes	Hall	Miguez
Bacala	Harris, J.	Miller, D.
Bagley	Harris, L.	Miller, G.
Bagneris	Havard	Morris, Jay
Berthelot	Hazel	Morris, Jim
Billiot	Henry	Muscarello
Bishop	Hensgens	Norton
Brass	Hilferty	Pearson
Brown, C.	Hill	Pierre
Brown, T.	Hodges	Pope
Carmody	Hoffmann	Pugh
Carpenter	Hollis	Pylant

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Carter, G.	Horton	Reynolds
Carter, R.	Howard	Richard
Carter, S.	Hunter	Schexnayder
Chaney	Huval	Seabaugh
Connick	Ivey	Shadoin
Coussan	Jackson	Simon
Cox	James	Smith
Crews	Jefferson	Stagni
Davis	Jenkins	Stefanski
DeVillier	Johnson	Stokes
Duplessis	Jones	Talbot
Dwight	Jordan	Thibaut
Edmonds	Landry, N.	Thomas
Emerson	Landry, T.	White
Falconer	LeBas	Wright
Foil	Lyons	Zeringue
Total - 99	=	

Total - 99

NAYS

Total - 0

ABSENT

Bouie Glover Leopold Cromer Leger

Total - 5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Abramson 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. 27—
BY REPRESENTATIVE LANCE HARRIS

AN ACT

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

Read by title.

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 on behalf of the Legislative Bureau to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 2, line 13, change "R.S. 47:301(3)(i)(ii)" to "Subitem (3)(i)(ii) of this Section'

AMENDMENT NO. 2

On page 2, line 19, change "R.S. 47:301(3)(i)(ii)" to "Subitem (3)(i)(ii) of this Section"

AMENDMENT NO. 3

On page 6, line 7, following "purchases" insert ","

AMENDMENT NO. 4

On page 8, line 3, change "R.S. 47:302(D)" to "Subsection D of this Section'

AMENDMENT NO. 5

On page 8, line 19, following "in" and before "47:305.45" insert

AMENDMENT NO. 6

On page 12, line 10, following "2018" insert ","

AMENDMENT NO. 7

On page 13, line 27, following "2018" insert ","

AMENDMENT NO. 8

On page 15, line 17, following "purchases" insert ","

AMENDMENT NO. 9

On page 18, line 2, following " \underline{in} " and before " $\underline{47:305.45}$ " insert "R.S."

AMENDMENT NO. 10

On page 21, line 23, following "P" and before "shall" insert "of this Section'

AMENDMENT NO. 11

On page 21, line 24, following "2018" insert ","

AMENDMENT NO. 12

On page 22, line 4, change "one third" to "one-third"

AMENDMENT NO. 13

On page 22, line 8, change "one third" to "one-third"

AMENDMENT NO. 14

On page 22, line 17, change "one third" to "one-third"

AMENDMENT NO. 15

On page 22, line 21, change "one third" to "one-third"

AMENDMENT NO. 16

On page 22, line 27, change "one third" to "one-third"

AMENDMENT NO. 17

On page 23, line 27, following "2018" insert ","

AMENDMENT NO. 18

On page 25, line 17, following "purchases" insert ","

AMENDMENT NO. 19

On page 28, line 2, following "in" and before "47:305.45" insert

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AMENDMENT NO. 20

On page 31, line 24, following "2018" insert ","

AMENDMENT NO. 21

On page 32, line 27, following "2018" insert ","

AMENDMENT NO. 22

On page 34, line 17, following "purchases" insert ","

AMENDMENT NO. 23

On page 37, line 2, following " \underline{in} " and before " $\underline{47:305.45}$ " insert "R.S."

AMENDMENT NO. 24

On page 40, line 24, following "2018" insert ","

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lance Harris to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 4, at the beginning of line 17, insert "or provided"

AMENDMENT NO. 2

On page 11, line 1, after "with" delete the remainder of the line and insert "a maximum capacity of"

AMENDMENT NO. 3

On page 13, at the beginning of line 29, insert "or provided"

AMENDMENT NO. 4

On page 20, line 13, after "with" delete the remainder of the line and insert "a maximum capacity of"

AMENDMENT NO. 5

On page 23, at the beginning of line 29, insert "or provided"

AMENDMENT NO. 6

On page 30, line 13, after "with" delete the remainder of the line and insert "a maximum capacity of"

AMENDMENT NO. 7

On page 32, at the beginning of line 29, insert "or provided"

AMENDMENT NO. 8

On page 39, line 13, after "with" delete the remainder of the line and insert "a maximum capacity of

On motion of Rep. Lance Harris, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carmody to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 6, line 6, after "47:301(4)(k)" and before the period "." insert a comma "." and the following:

"rail rolling stock sold or leased in Louisiana as provided in R.S. 47:305.50(E)(1), and parts or services used in the fabrication, modification, or repair of rail rolling stock as provided in R.S. 47:305.50(E)(2)"

AMENDMENT NO. 2

On page 12, between lines 8 and 9, insert the following:

"(104) Repair services performed in Louisiana when the repaired property is delivered outside of Louisiana as provided in R.S. 47:301(14)(g)(i)(bb)."

AMENDMENT NO. 3

On page 15, line 16, after "47:301(4)(k)" and before the period "." insert a comma "," and the following:

"rail rolling stock sold or leased in Louisiana as provided in R.S. 47:305.50(E)(1), and parts or services used in the fabrication, modification, or repair of rail rolling stock as provided in R.S. 47:305.50(E)(2)"

AMENDMENT NO. 4

On page 21, between lines 22 and 23, insert the following:

"(105) Repair services performed in Louisiana when the repaired property is delivered outside of Louisiana as provided in R.S. 47:301(14)(g)(i)(bb)."

AMENDMENT NO. 5

On page 25, line 16, after "47:301(4)(k)" and before the period "." insert a comma "," and the following:

"rail rolling stock sold or leased in Louisiana as provided in R.S. 47:305.50(E)(1), and parts or services used in the fabrication, modification, or repair of rail rolling stock as provided in R.S. 47:305.50(E)(2)"

AMENDMENT NO. 6

On page 31, between lines 22 and 23, insert the following:

"(105) Repair services performed in Louisiana when the repaired property is delivered outside of Louisiana as provided in R.S. 47:301(14)(g)(i)(bb)."

AMENDMENT NO. 7

On page 34, line 16, after "47:301(4)(k)" and before the period "." insert a comma "," and the following:

"rail rolling stock sold or leased in Louisiana as provided in R.S. 47:305.50(E)(1), and parts or services used in the fabrication, modification, or repair of rail rolling stock as provided in R.S. 47:305.50(E)(2)"

AMENDMENT NO. 8

On page 40, between lines 22 and 23, insert the following:

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"(105) Repair services performed in Louisiana when the repaired property is delivered outside of Louisiana as provided in R.S. 47:301(14)(g)(i)(bb)."

Rep. Carmody moved the adoption of the amendments.

Rep. Jackson objected.

By a vote of 73 yeas and 25 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Carmody to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "302(R)(2)" delete R.S. 47:301(16)(o)(i)," and insert "R.S. 47:301(10)(z), (16)(o)(i),"

AMENDMENT NO. 2

On page 1, line 11, after "taxes;" and before "to" insert "to exempt water for residential use from state sales and use tax when a residence in not separately metered;"

AMENDMENT NO. 3

On page 1, line 14, after "Section 1." and before "302(R)(2)" delete "R.S. 47:301(16)(o)(i)," and insert "R.S. 47:301(10)(z), (16)(o)(i),"

AMENDMENT NO. 4

On page 2, between lines 5 and 6, insert the following:

"(10)

* * *

(z) For purposes of the sales and use tax imposed by the state or any political subdivision whose boundaries are coterminous with those of the state, the terms "retail sale" or "sale at retail" shall not include the sale or purchase of water for residential use by the consumer. "Sale or purchase of water for residential use by the consumer" includes the furnishing of water to single private residences, including the separate private units of apartment houses and other multiple residential dwellings, where the water is actually used for residential purposes, irrespective of whether the resident or a person other than the resident is contractually bound to the supplier for the charges, actually pays the charges, or is billed for the charges. "Water for residential use" shall not include any water in bottles, jugs, or other containers.

* * *!

AMENDMENT NO. 5

On page 12, between lines 8 and 9, insert the following:

"(104) The sale and use of water for residential use by the consumer as provided in R.S. 47:301(10)(z)."

AMENDMENT NO. 6

On page 21, between lines 22 and 23, insert the following:

"(105) The sale and use of water for residential use by the consumer as provided in R.S. 47:301(10)(z)."

AMENDMENT NO. 7

On page 31, between lines 22 and 23, insert the following:

"(105) The sale and use of water for residential use by the consumer as provided in R.S. 47:301(10)(z)."

AMENDMENT NO. 8

On page 40, between lines 22 and 23, insert the following:

"(105) The sale and use of water for residential use by the consumer as provided in R.S. 47:301(10)(z)."

Rep. Carmody moved the adoption of the amendments.

Rep. Jones objected.

By a vote of 40 yeas and 58 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dwight to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 12, between lines 8 and 9, insert the following:

"(105) Purchases by a nonprofit electric cooperative as provided in R.S. 12:425."

AMENDMENT NO. 2

On page 21, between lines 22 and 23, insert the following:

"(106) Purchases by a nonprofit electric cooperative as provided in R.S. 12:425."

AMENDMENT NO. 3

On page 31, between lines 22 and 23, insert the following:

"(106) Purchases by a nonprofit electric cooperative as provided in R.S. 12:425."

AMENDMENT NO. 4

On page 40, between lines 22 and 23, insert the following:

"(106) Purchases by a nonprofit electric cooperative as provided in R.S. 12:425."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dwight to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 12, between lines 8 and 9, insert the following:

"(104) Sales tax holidays as provided in R.S. 47:305.54, 305.58, and 305.62."

AMENDMENT NO. 2

On page 21, between lines 22 and 23, insert the following:

"(105) Sales tax holidays as provided in R.S. 47:305.54, 305.58, and 305.62."

AMENDMENT NO. 3

On page 31, between lines 22 and 23, insert the following:

"(105) Sales tax holidays as provided in R.S. 47:305.54, 305.58, and 305.62."

AMENDMENT NO. 4

On page 40, between lines 22 and 23, insert the following:

"(105) Sales tax holidays as provided in R.S. 47:305.54, 305.58, and 305.62."

Rep. Dwight moved the adoption of the amendments.

Rep. Lance Harris objected.

By a vote of 43 yeas and 56 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Shadoin to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 22, line 4, after "rate of" and before "one percent" delete "one third of" and insert "one-half of"

AMENDMENT NO. 2

On page 22, line 8, after "rate of" and before "one percent" delete " $\underline{one\ third\ of}$ " and insert " $\underline{one\ half\ of}$ "

AMENDMENT NO. 3

On page 22, line 17, after "rate of" and before "one percent" delete "one third of" and insert "one-half of"

AMENDMENT NO. 4

On page 22, line 21, after "rate of" and before "one percent" delete "one third of" and insert "one-half of"

AMENDMENT NO. 5

On page 22, line 27, after "rate of" and before "one percent" delete "one third of" and insert "one-half of"

Rep. Shadoin moved the adoption of the amendments.

Rep. Lance Harris objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Anders	Gisclair	Lyons
Bagneris	Glover	Marcelle
Billiot	Hall	Marino
Bouie	Harris, J.	Miller, D.
Brass	Hill	Norton
Brown, C.	Hunter	Pierre
Brown, T.	Jackson	Reynolds
Carpenter	James	Shadoin
Carter, R.	Jefferson	Smith
Connick	Jenkins	Stagni
Cox	Johnson	Thibaut
Duplessis	Jordan	White
Franklin	Landry, T.	
Gaines	LeBas	

Total - 40

NAYS

Mr. Speaker Abraham Abramson Amedee Armes Bacala Bagley Berthelot Bishop Carmody Carter, G. Carter, S. Chaney Coussan	Garofalo Guinn Harris, L. Hazel Henry Hensgens Hilferty Hodges Hoffmann Hollis Horton Howard Huval Ivey	Miguez Miller, G. Morris, Jim Muscarello Pearson Pope Pugh Pylant Richard Schexnayder Seabaugh Simon Stefanski Stokes
Coussan		
Crews	Jones	Talbot
Davis	Landry, N.	Thomas
DeVillier	Leopold	Wright
Dwight	Mack	Zeringue
Emerson	Magee	
Falconer	McFarland	

Falconer Total - 58

ABSENT

Cromer Foil Leger Edmonds Havard Morris, Jay Total - 6

The amendments were rejected.

Consent to Correct a Vote Record

Rep. Pylant requested the House consent to record his vote on the amendments proposed by Rep. Shadoin to House Bill No. 27 as nay, which consent was unanimously granted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schexnayder to Engrossed House Bill No. 27 by Representative Lance Harris

AMENDMENT NO. 1

On page 12, between lines 8 and 9, insert the following:

"(106) Diesel fuel, butane, propane, or other gases used or consumed for farm purposes as provided in R.S. 47:305.37(A).

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The use of steam produced through the processing of a raw agricultural product used in a facility predominately and directly engaged in the processing of an agricultural product, by a manufacturer as defined in R.S.47:301(3)(i)(ii)(bb) based on being assigned a North American Industrial Classification System Code within the agricultural, forestry, fishing, and hunting Sector 11."

AMENDMENT NO. 2

On page 21, between lines 22 and 23, insert the following:

"(107) Diesel fuel, butane, propane, or other gases used or consumed for farm purposes as provided in R.S. 47:305.37(A).

The use of steam produced through the processing of a raw agricultural product used in a facility predominately and directly engaged in the processing of an agricultural product, by a manufacturer as defined in R.S.47:301(3)(i)(ii)(bb) based on being assigned a North American Industrial Classification System Code within the agricultural, forestry, fishing, and hunting Sector 11."

AMENDMENT NO. 3

On page 31, between lines 22 and 23, insert the following:

"(107) Diesel fuel, butane, propane, or other gases used or consumed for farm purposes as provided in R.S. 47:305.37(A).

The use of steam produced through the processing of a raw agricultural product used in a facility predominately and directly engaged in the processing of an agricultural product, by a manufacturer as defined in R.S.47:301(3)(i)(ii)(bb) based on being assigned a North American Industrial Classification System Code within the agricultural, forestry, fishing, and hunting Sector 11."

AMENDMENT NO. 4

On page 40, between lines 22 and 23, insert the following:

"(107) Diesel fuel, butane, propane, or other gases used or consumed for farm purposes as provided in R.S. 47:305.37(A).

The use of steam produced through the processing of a raw agricultural product used in a facility predominately and directly engaged in the processing of an agricultural product, by a manufacturer as defined in R.S.47:301(3)(i)(ii)(bb) based on being assigned a North American Industrial Classification System Code within the agricultural, forestry, fishing, and hunting Sector 11."

Rep. Schexnayder moved the adoption of the amendments.

Rep. Lance Harris objected.

By a vote of 71 yeas and 28 nays, the amendments were adopted.

Consent to Correct a Vote Record

Rep. Jenkins requested the House consent to correct his vote on the amendments proposed by Rep. Schexnayder to House Bill No. 27 from nay to yea, which consent was unanimously granted.

Consent to Correct a Vote Record

Rep. Pylant requested the House consent to correct his vote on the amendments proposed by Rep. Schexnayder to House Bill No. 27 from nay to yea, which consent was unanimously granted.

Rep. Lance Harris moved the final passage of the bill, as amended

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Dwight	Lyons
Abraham	Foil	Marino
Anders	Gaines	McFarland
Armes	Gisclair	Miller, G.
Bacala	Guinn	Muscarello
Bagley	Hall	Norton
Bagneris	Harris, L.	Pearson
Berthelot	Hazel	Pope
Billiot	Hensgens	Pugh
Bishop	Hilferty	Pylant
Brass	Hill	Reynolds
Brown, C.	Hoffmann	Richard
Brown, T.	Howard	Schexnayder
Carmody	Huval	Shadoin
Carter, Ř.	Jackson	Stagni
Carter, S.	Jefferson	Stefanski
Chaney	Jenkins	Thibaut
Connick	Johnson	Thomas
Coussan	Jones	White
Cox	Landry, N.	Zeringue
Davis	LeBas	· ·
DeVillier	Leopold	
Total - 64	-	

NAYS

Abramson	Harris, J.	Marcelle
Amedee	Havard	Miguez
Bouie	Henry	Miller, D.
Carpenter	Hodges	Morris, Jay
Carter, G.	Hollis	Morris, Jim
Crews	Horton	Pierre
Duplessis	Hunter	Seabaugh
Edmonds	Ivey	Simon
Emerson	James	Smith
Falconer	Jordan	Stokes
Franklin	Landry, T.	Talbot
Garofalo	Mack	Wright
Glover	Magee	J
Total 38	2	

Total - 38

ABSENT

Cromer Leger Total - 2

The chair declared the above bill, not having received a twothirds vote of the elected members, failed to pass.

Motion to reconsider pending.

Consent to Correct a Vote Record

Rep. Bagley requested the House consent to correct his vote on final passage of House Bill No. 27 from nay to yea, which consent was unanimously granted.

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Suspension of the Rules

On motion of Rep. Jim Morris, the rules were suspended in order to take up and consider Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on

Ways and Means

May 25, 2018

To the Speaker and Members of the House of Representatives:

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

House Bill No. 12, by Leger Reported with amendments. (11-0)

House Bill No. 13, by Jackson Reported with amendments. (15-0)

House Bill No. 17, by Foil Reported with amendments. (11-0)

House Bill No. 18, by Jackson Reported with amendments. (16-0)

House Bill No. 19, by Jackson Reported with amendments. (8-5)

> JIM MORRIS Vice Chairman

Suspension of the Rules

On motion of Rep. Jim Morris, the rules were suspended in order to take up House Bills contained in the committee report at this time.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 12— BY REPRESENTATIVE LEGER

AN ACT
To amend and reenact R.S. 47:339(A)(2) and (B)(3) and to enact R.S. 47:301(4)(m), relative to sales and use tax; to provide with respect to collection and reporting of sales and use taxes; to provide for the definition of dealer; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 12 by Representative Leger

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its entirety and insert "R.S. 47:339(A)(2) and (B)(3) and to enact R.S. 47:301(4)(m), relative to sales and use tax:

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and delete line 9 in its entirety, and insert "R.S. 47:339(A)(2) and (B)(3) are hereby amended and reenacted and R.S. 47:301(4)(m) is hereby'

AMENDMENT NO. 3

On page 1, delete lines 11 through 17 in their entirety and insert the following:

"§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning:

(4) "Dealer" includes every person who manufactures or produces tangible personal property for sale at retail, for use, or consumption, or distribution, or for storage to be used or consumed in a taxing jurisdiction. "Dealer" is further defined to mean:

AMENDMENT NO. 4

On page 1, at the beginning of line 18, delete "(a)" and insert "(m)"

AMENDMENT NO. 5

On page 2, line 10, after "collect" delete the remainder of the line and insert "state and local sales and use taxes as a dealer, even if they do

AMENDMENT NO. 6

On page 2, delete lines 12 through 29 in their entirety, and on page 3, delete lines 1 through 10 in their entirety

AMENDMENT NO. 7

On page 2, between lines 11 and 12, insert the following:

"§339. Louisiana Sales and Use Tax Commission for Remote Sellers

A. The Louisiana Sales and Use Tax Commission for Remote Sellers, hereinafter referred to as "commission", is created and established within the Department of Revenue for the administration and collection of the sales and use tax imposed by the state and political subdivisions with respect to remote sales. The commission shall:

(2) With Serve as the single entity in Louisiana to require remote sellers and their designated agents to collect from customers and remit to the commission, sales and use taxes on remote sales sourced to Louisiana on the uniform Louisiana state and local sales and use tax base established by Louisiana law with respect to any federal law as may be enacted by the United States Congress or final ruling by the United States Supreme Court authorizing states to require remote sellers to collect and remit state and local sales and use taxes on their sales in each state, except those remote sellers who

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qualify for the small seller exceptions as may be provided by federal law, serve as the single entity in Louisiana to require remote sellers and their designated agents to collect from customers and remit to the commission sales and use taxes on remote sales sourced to Louisiana on the uniform Louisiana state and local sales and use tax base established by Louisiana law.

B. As used in this Chapter, unless the context clearly indicates otherwise, the following terms shall be defined as follows:

(3) "Federal law" shall mean any federal law as may be enacted by the United States Congress or final ruling by the United States Supreme Court authorizing states to require remote sellers, except those remote sellers who meet the small seller exceptions of provided by federal law, to collect and remit sales and use taxes on remote sales sourced to Louisiana.

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

On motion of Rep. Jim Morris, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 13— BY REPRESENTATIVE JACKSON

AN ACT

To amend and reenact R.S. 47:158(C) and (D), 287.73(C)(4), and 287.745(B) and Section 6 of Act No. 123 of the 2015 Regular Session of the Legislature, relative to corporate income tax; to provide relative to certain exclusions, exemptions, and deductions; to provide for continued effectiveness of reductions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 13 by Representative Jackson

AMENDMENT NO. 1

On page 1, line 3, after "Legislature" delete the remainder of the line in its entirety and delete line 4 in its entirety and insert a comma ".

AMENDMENT NO. 2

On page 3, delete line 19 through 24 in their entirety and insert the following:

Section 6. The provisions of Sections 1 and 2 of this Act shall become effective on July 1, 2015, and shall remain effective through June 30, 2018 June 30, 2023. The provisions of Sections 3 and 4 of this Act shall become effective on July 1, 2018 July 1, 2023.

AMENDMENT NO. 3

On page 3, at the beginning of line 25, delete "Section 4." and insert "Section 3.

AMENDMENT NO. 4

On page 3, at the beginning of line 27, delete "Section 5." and insert "Section 4."

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

On motion of Rep. Jim Morris, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 17-

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact R.S. 47:339(A)(2) and (B)(3) and to enact R.S. 47:301(4)(m), relative to sales and use tax; to provide with respect to collection and reporting of sales and use taxes; to provide for the definition of dealer; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 17 by Representative Foil

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its entirety and insert "R.S. 47:339(A)(2) and (B)(3) and to enact R.S. 47:301(4)(m), relative to sales and use tax;

AMENDMENT NO. 2

On page 1, line 8, after "Section 1." delete the remainder of the line and delete line 9 in its entirety, and insert "R.S. 47:339(A)(2) and (B)(3) are hereby amended and reenacted and R.S. 47:301(4)(m) is

AMENDMENT NO. 3

On page 1, delete lines 11 through 17 in their entirety and insert the following:

"§301. Definitions

As used in this Chapter the following words, terms, and phrases have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning:

(4) "Dealer" includes every person who manufactures or produces tangible personal property for sale at retail, for use, or consumption, or distribution, or for storage to be used or consumed in a taxing jurisdiction. "Dealer" is further defined to mean:

AMENDMENT NO. 4

On page 1, at the beginning of line 18, delete "(a)" and insert "(m)"

AMENDMENT NO. 5

On page 2, line 10, after "collect" delete the remainder of the line and insert "state and local sales and use taxes as a dealer, even if they do not"

AMENDMENT NO. 6

On page 2, delete lines 12 through 29 in their entirety, and on page 3, delete lines 1 through 10 in their entirety

AMENDMENT NO. 7

On page 2, between lines 11 and 12, insert the following:

"§339. Louisiana Sales and Use Tax Commission for Remote Sellers

A. The Louisiana Sales and Use Tax Commission for Remote Sellers, hereinafter referred to as "commission", is created and established within the Department of Revenue for the administration and collection of the sales and use tax imposed by the state and political subdivisions with respect to remote sales. The commission shall:

* * *

(2) With Serve as the single entity in Louisiana to require remote sellers and their designated agents to collect from customers and remit to the commission, sales and use taxes on remote sales sourced to Louisiana on the uniform Louisiana state and local sales and use tax base established by Louisiana law with respect to any federal law as may be enacted by the United States Congress or final ruling by the United States Supreme Court authorizing states to require remote sellers to collect and remit state and local sales and use taxes on their sales in each state, except those remote sellers who qualify for the small seller exceptions as may be provided by federal law, serve as the single entity in Louisiana to require remote sellers and their designated agents to collect from customers and remit to the commission sales and use taxes on remote sales sourced to Louisiana on the uniform Louisiana state and local sales and use tax base established by Louisiana law.

* * *

B. As used in this Chapter, unless the context clearly indicates otherwise, the following terms shall be defined as follows:

* * *

(3) "Federal law" shall mean any federal law as may be enacted by the United States Congress or final ruling by the United States Supreme Court authorizing states to require remote sellers, except those remote sellers who meet the small seller exceptions of provided by federal law, to collect and remit sales and use taxes on remote sales sourced to Louisiana.

* * *!

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

On motion of Rep. Jim Morris, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 18-

BY REPRESENTATIVE JACKSON
AN ACT

To amend and reenact R.S. 47:33(A)(5) and Section 4 of Act No. 109 of the 2015 Regular Session of the Legislature, to enact R.S. 47:33(A)(7), relative to the individual income tax credit for taxes paid to other states; to repeal provisions providing for an increase in the credit; to limit the amount of the credit; to authorize a deduction of income taxes paid to other states under certain circumstances; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 18 by Representative Jackson

AMENDMENT NO. 1

On page 1, line 3, after "R.S. 47:33(A)(7)," delete the remainder of the line in its entirety and delete line 4 in its entirety and insert "relative to the individual"

AMENDMENT NO. 2

On page 2, delete lines 17 through 24 in their entirety and insert the following:

"Section 4. The provisions of Sections 1 and 3 of this Act shall become effective on July 1, 2015, and shall remain effective through $\frac{30}{2018}$ June 30, 2023, at which time the provisions of Sections 1 and 3 of this Act shall become null, void, and of no effect. The provisions of Section 4 of this Act shall become effective on July 1, 2015. The provisions of Section 2 of this Act shall become effective on $\frac{3}{2018}$ July 1, 2023."

AMENDMENT NO. 3

On page 2, at the beginning of line 25, delete "Section 4." and insert "Section 3."

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

On motion of Rep. Jim Morris, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 19–

BY REPRESENTATIVE JACKSON

AN ACT

To amend Section 6 of Act No. 126 of the 2015 Regular Session of the Legislature as amended by Act No. 28 of the 2016 First Extraordinary Session of the Legislature and to repeal Section 3 of Act No. 126 of the 2015 Regular Session of the Legislature and Section 7 of Act No. 126 of the 2015 Regular Session of the Legislature as enacted by Act No. 28 of the 2016 First Extraordinary Session of the Legislature, relative to certain rebates; to provide for continued effectiveness of certain rebate reductions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 19 by Representative Jackson

AMENDMENT NO. 1

On page 1, line 16, after "2015" and before the period "." insert a comma "2" and insert the following:

"and shall remain effective through June 30, 2023. The provisions of Section 3 of this Act shall become effective on July 1, 2023"

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

On motion of Rep. Jim Morris, the bill, as amended, was ordered engrossed and passed to its third reading.

Suspension of the Rules

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

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Ivey, the Committee on Appropriations was discharged from further consideration of House Bill No. 5.

HOUSE BILL NO. 5— BY REPRESENTATIVE IVEY

AN ACT

To amend and reenact R.S. 39:6(C) and to enact Subpart F of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:89.1 through 89.3, relative to state expenditure reporting; to provide for the duties of the commissioner of administration; to provide for the establishment and maintenance of the Louisiana Checkbook as a government fiscal transparency website; to provide for the information to be included on the website; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Ivey, the bill was recommitted to the Committee on Appropriations.

Motion

On motion of Rep. Henry, the Committee on Appropriations was discharged from further consideration of House Bill No. 10.

HOUSE BILL NO. 10-

BY REPRESENTATIVE BARRAS

AN ACT

To amend and reenact R.S. 39:6(C) and to enact Subpart F of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:89.1 through 89.3, relative to state expenditure reporting; to provide for the duties of the commissioner; to provide for the establishment and maintenance of the Louisiana Checkbook as a government fiscal transparency website; to provide for the information to be included on the website; to provide for implementation; to provide for an effective date; and to provide for related matters.

Read by title.

On motion of Rep. Henry, the bill was recommitted to the Committee on Appropriations.

Suspension of the Rules

On motion of Rep. Brass, 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 REPRESENTATIVES BRASS, BACALA, BERTHELOT, AND SCHEXNAYDER

A RESOLUTION

To commend the Ascension Catholic High School baseball team upon winning the 2018 Louisiana High School Athletic Association Division IV state championship.

Read by title.

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

HOUSE RESOLUTION NO. 16—

BY REPRESENTATIVE JACKSON

A RESOLUTION

To commend Margie Whatley upon the momentous occasion of her ninetieth birthday.

Read by title.

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

HOUSE RESOLUTION NO. 17— BY REPRESENTATIVE STEFANSKI

A RESOLUTION

To commend the Northside Christian High School girls' softball team on winning the 2018 Louisiana High School Athletic Association Division V state championship.

Read by title.

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

HOUSE RESOLUTION NO. 18— BY REPRESENTATIVE CHANEY

A RESOLUTION

To commend the Rayville Junior High School girls' basketball team on winning the 2017 Louisiana State Games middle school eighth grade championship.

Read by title.

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

Privileged Report of the Committee on Enrollment

May 25, 2018

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

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 13-BY REPRESENTATIVE CHANEY

A RESOLUTION

To commend the Delhi High School girls' basketball team on winning the Class 1A State Championship at the 2018 Allstate

Sugar Bowl Louisiana High School Athletic Association Tournament.

HOUSE RESOLUTION NO. 14—BY REPRESENTATIVE FOLLOWING

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Betsy Ann Belba Juneau.

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.

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Lance Harris gave notice of his intention to call House Bill No. 27 from the calendar on Monday, May $28,\,2018$.

Adjournment

On motion of Rep. Billiot, at $5:42\ P.M.$, the House agreed to adjourn until Monday, May $28,\,2018,$ at $2:00\ P.M.$

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, May 28, 2018.

> ALFRED W. SPEER Clerk of the House