OFFICIAL JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF LOUISIANA

FIRST DAY'S PROCEEDINGS

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

House of Representatives State Capitol Baton Rouge, Louisiana

Monday, June 18, 2018

The House of Representatives was called to order at 4:19 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

Falconer LeBas Zeringue Foil Leger Total - 101

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

Prayer

Prayer was offered by Rep. Crews.

Pledge of Allegiance

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

Petitions, Memorials, and Communications

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

Message from the Governor

The following message from the Governor was received and read:

STATE OF LOUISIANA OFFICE OF THE GOVERNOR

Baton Rouge, Louisiana

PROCLAMATION NUMBER 97 JBE 2018

By virtue of the authority vested in me by Paragraph B of Section 2 of Article III of the Constitution of Louisiana, I, John Bel Edwards, Governor of the state of Louisiana, HEREBY CALL AND CONVENE THE LEGISLATURE OF LOUISIANA INTO EXTRAORDINARY SESSION to convene at the State Capitol, in the city of Baton Rouge, Louisiana, during ten calendar days, beginning at 4:00 o'clock p.m. on the 18th day of June, 2018, and ending no later than 6:00 o'clock p.m. on the 27th day of June, 2018. The power to legislate at such session shall be limited, under penalty of nullity, to the following specified enumerated objects:

- ITEM NO. 1: To legislate with regard to the imposition, collection and remittance of sales and use tax under R.S. 47:302, 321, 321.1 and 331.
- ITEM NO. 2: To legislate with regard to exemptions and exclusions from state sales and use tax.
- ITEM NO. 3: To legislate with regard to the effectiveness of Section 19.A of the Act that originated as House Bill No. 1 of the 2018 Second Extraordinary Session of the Legislature.
- ITEM NO. 4: To legislate with regard to the effectiveness of Section 9 of Act No. 79 of the 2018 Regular Session of the Legislature.
- ITEM NO. 5: To legislate with regard to the effectiveness of Section 4 of Act No. 69 of the 2018 Regular Session of the Legislature.
- ITEM NO. 6: To legislate with regard to Section 1 of the Act that originated as House Bill No. 33 of the 2018 Second Extraordinary Session of the Legislature.
- ITEM NO. 7: To legislate with regard to Section 1 of the Act that originated as House Bill No. 34 of the 2018 Second Extraordinary Session of the Legislature.

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IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana, at the Capitol, in the City of Baton Rouge, on this 8th day of June, 2018.

s/JOHN BEL EDWARDS Governor of Louisiana

Motion

On motion of Rep. Leger, the Speaker appointed the following special committee to notify the Governor that the House is convened and prepared to transact business: Reps. Franklin, Howard, Nancy Landry, Pope and Richard.

Motion

On motion of Rep. Leger, the Speaker appointed the following special committee to notify the Senate that the House is convened and prepared to transact business: Reps. LeBas, Pearson, Simon, Gaines, and Horton.

Reports of Special Committees

The special committee appointed to notify the Governor that the House had convened and was prepared to transact business reported that it had performed that duty.

The special committee appointed to notify the Senate that the House had convened and was prepared to transact business reported that it had performed that duty.

The Speaker thanked and discharged the committees.

Committee from the Senate

A special committee from the Senate notified the House that the Senate has convened and is prepared to transact business.

The Speaker thanked and dismissed the committee.

Louisiana House of Representatives

May 31, 2018

Honorable Taylor Barras Speaker, Louisiana House of Representatives P. O. Box 44062 Baton Rouge, LA 70804

Dear Speaker Barras:

I have been offered a position with the Lieutenant Governor to head the Office of State Parks. I will accept the position and begin my new duties on June 5, 2018. I resign from the Louisiana House of Representatives, District 10, effective 11:59 PM, June 4, 2018.

It has been an honor to have served the citizens of District 10 and of the State of Louisiana as a member of the House of Representatives. I have enjoyed working in the House and I hope that during my tenure, I was able to make a positive difference for the State of Louisiana.

Very truly yours,

EUGENE REYNOLDS Representative, District 10

STATE OF MISSOURI MISSOURI LEGISLATURE 99TH GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 40

Relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

WHEREAS, Article V of the Constitution of the United States requires a Convention to be called by the Congress of the United States for the purpose of proposing an amendment to the Constitution upon application of two-thirds of the Legislatures of the several states; and

WHEREAS, the Legislature of the State of Missouri favors a proposal and ratification of an amendment to said Constitution, which shall set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate, Ninety-ninth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby make an application to Congress, as provided by Article V of the Constitution of the United States of America, to call a convention limited to proposing an amendment to the Constitution of the United States of America to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate; and

BE IT FURTHER RESOLVED that this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject; and

BE IT FURTHER RESOLVED that this application shall expire five (5) years after the passage of this resolution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President and Secretary of the Senate of the United States and to the Speaker, Clerk, and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States, and copies to each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

Adriane D. Crouse, Secretary of the Senate, and D. Adam Crumbliss, Chief Clerk of the House, do hereby certify that the aforementioned is a true and correct copy of Senate Concurrent Resolution No. 40, adopted by the Senate on April 9, 2018, and concurred in by the House on May 17, 2018.

ADRIANE D. CROUSE Secretary of the Senate

D. ADAM CRUMBLISS Chief Clerk of the House

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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. 1— BY REPRESENTATIVE EDMONDS

A RESOLUTION

To commend the Dream Hunt Foundation for its efforts in serving children in Louisiana.

Read by title.

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

HOUSE RESOLUTION NO. 2— BY REPRESENTATIVES SHADOIN AND JEFFERSON A RESOLUTION

To express the condolences of the Louisiana House of Representatives upon the death of former Ruston city marshal Mike Hilton.

Read by title.

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

HOUSE RESOLUTION NO. 3— BY REPRESENTATIVES SMITH AND CARPENTER A RESOLUTION

To commend the 2018 International Legislative Drafting Institute participants and to welcome them to the state capitol.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 1— BY REPRESENTATIVES SCHEXNAYDER AND GREGORY MILLER AND SENATORS PRICE AND GARY SMITH

A CONCURRENT RESOLUTION

To posthumously commend Deputy Brandon Nielsen and Deputy Jeremy Triche of the St. John the Baptist Parish Sheriff's Office who were slain in the line of duty.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 2— BY REPRESENTATIVE ABRAMSON A CONCURRENT RESOLUTION

To create a commission to identify the provisions of the Constitution of Louisiana which should be considered for revision in a constitutional convention and to make recommendations for the conduct of a constitutional convention to revise the Constitution of Louisiana.

Read by title.

Suspension of the Rules

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

Under the rules, the resolution was referred to the Committee on House and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 3— BY REPRESENTATIVE ABRAMSON

A CONCURRENT RESOLUTION

To express the intent of the legislature regarding House Bill No. of the 2018 Third Extraordinary Session of the Legislature.

Read by title.

Suspension of the Rules

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

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

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE MARINO

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations relative to fees for the expungement of arrest and conviction records.

Read by title.

Suspension of the Rules

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

Under the rules, the resolution was referred to the Committee on Administration of Criminal Justice.

Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 1-

BY REPRESENTATIVE HENRY

AN ACT

appropriate funds and to make certain reductions in appropriations from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations and reductions for said agencies and purposes for Fiscal Year 2018-2019; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

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

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

HOUSE BILL NO. 2-

BY REPRESENTATIVES TERRY LANDRY, ANDERS, BAGNERIS, BILLIOT, BOUIE, BRASS, CHAD BROWN, CARPENTER, COX, DUPLESSIS, FRANKLIN, GAINES, GISCLAIR, HALL, JIMMY HARRIS, JACKSON, JAMES, JEFFERSON, JENKINS, JOHNSON, LEBAS, LEGER, LYONS, MARCELLE, DUSTIN MILLER, NORTON, PIERRE, SHADOIN, SMITH, STAGNI, THIBAUT, AND WHITE

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)

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

Read by title.

Suspension of the Rules

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

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

HOUSE BILL NO. 3-

BY REPRESENTATIVE HAVARD

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), 321(T), and A.S. No. 203 of the 2017 Beauton Society (M), 331(T), and Act No. 395 of the 2017 Regular Session of the Louisiana Legislature, relative to state sales and use taxes; to provide for the tax rate; to provide for the applicability of certain exclusions and exemptions applicable to certain taxes; to provide for effectiveness; and to provide for related matters.

Read by title.

Suspension of the Rules

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

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

HOUSE BILL NO. 4-

BY REPRESENTATIVE BISHOP AND SENATOR WARD AN ACT

To amend and reenact R.S. 47:321.1(A) through (C) and (E), relative to state sales and use tax; to provide for the tax rate; to provide for effectiveness; and to provide for related matters.

Read by title.

Suspension of the Rules

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

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

HOUSE BILL NO. 5-

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact Section 19.A of Act No. 2 of the 2018 Second Extraordinary Session of the Legislature, to provide for the effectiveness of Section 19.A of Act No. 2 of the 2018 Second Extraordinary Session of the Legislature; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

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

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

HOUSE BILL NO. 6-

BY REPRESENTATIVE FOIL

AN ACT

To amend and reenact Section 19.A of Act No. 2 of the 2018 Second Extraordinary Session of the Legislature, to provide for the effectiveness of Section 19.A of Act No. 2 of the 2018 Second Extraordinary Session of the Legislature; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

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

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

HOUSE BILL NO. 7-

BY REPRESENTATIVE SMITH

AN ACT

To amend and reenact Section 19.A of Act No. 2 of the 2018 Second Extraordinary Session of the Legislature, to provide for the effectiveness of Section 19.A of Act No. 2 of the 2018 Second Extraordinary Session of the Legislature; to provide for an effective date; and to provide for related matters.

Read by title.

Suspension of the Rules

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

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

HOUSE BILL NO. 8— BY REPRESENTATIVE LEGER

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.

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Suspension of the Rules

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

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

HOUSE BILL NO. 9— BY REPRESENTATIVE ABRAMSON 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), (AA)(32)(introductory paragraph), (BB)(introductory paragraph), and (CC), 321(H)(2) through (6), (I) through (K), (P)(introductory paragraph), and (Q), 321.1(A) through (C), (E), (F)(introductory paragraph), (F)(66)(introductory paragraph), (F)(67) through (69), (F)(70)(introductory paragraph), (I)(introductory paragraph), and (J), and 331(P), (Q), (R), (V)(introductory paragraph), and (W), to enact R.S. 47:302(BB) and (CC), 321(P) and (Q), and (CC), 321(P) and (D), a (W), to effect R.S. 47:302(BB) and (CC), 321(1) and (X), 321.1(I) and (J), and 331(V) and (W), and to repeal R.S. 47:302(Y), 321(M), 331(T), and Act No. 395 of the 2017 Regular Session of the Louisiana Legislature, relative to state sales and use taxes; to provide for the tax rate; to provide for the applicability of certain exclusions and exemptions applicable to certain taxes; to provide for effectiveness; and to provide for related matters.

Read by title.

Suspension of the Rules

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

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

Suspension of the Rules

On motion of Rep. 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

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

June 18, 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. 1

Respectfully submitted,

GLENN A. KOEPP Secretary of the Senate

SENATE CONCURRENT RESOLUTION NO. 1—

BY SENATOR ALARIO A CONCURRENT RESOLUTION

To invite the Honorable John Bel Edwards, Governor of Louisiana, to address a joint session of the legislature.

Read by title.

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

Recess

On motion of Rep. Leger, the Speaker declared the House at recess upon the call of the House.

Joint Session of the Legislature

The joint session of the legislature was called to order at 5:00 P.M. by the Honorable John A. Alario, Jr., President of the Senate.

On motion of Sen. Thompson, the calling of the roll on the part of the Senate was dispensed with.

On motion of Rep. Leger, the calling of the roll on the part of the House was dispensed with.

The President of the Senate appointed the following special committee to escort the Honorable John Bel Edwards, Governor of the State of Louisiana, to the joint session.

On the part of the Senate: Senators Thompson, Barrow, Allain, Gatti, and Luneau.

On the part of the House: Representatives Franklin, Howard, Nancy Landry, Pope, and Richard.

Praver

Prayer was offered by Rev. Rodney Wood.

Pledge of Allegiance

John A. Alario, Jr., President of the Senate, led the joint session in reciting the Pledge of Allegiance to the Flag of the United States of America.

Cory Stewart sang "The National Anthem".

The President of the Senate introduced the Honorable John Bel Edwards, who addressed the joint session of the legislature.

On motion of Sen. Thompson, the Senate retired to its own chamber.

After Recess

Speaker Barras called the House to order at 5:25 P.M.

House Business Resumed

Petitions, Memorials, and **Communications**

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

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Message from the Governor

The following message from the Governor was received and read:

OFFICE OF THE GOVERNOR State of Louisiana

June 18, 2018

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

Honorable John A. Alario, Jr. Louisiana Senate President Louisiana Senate Post Office Box 94183 Baton Rouge, LA 70804

RE: Line item veto of House Bill 1 of the 2018 Second Extraordinary Session

Dear Speaker Barras and President Alario:

I have signed House Bill 1 of the 2018 Second Extraordinary Session. However, I have exercised my line item veto authority granted to me by La. Const. Art. IV, Section 5(G)(1) to veto one item. I have exercised my line item veto authority as follows:

Veto No. 1: Delete Lines 36-54 on Page 84 of 194: This provision is an attempt to improperly enact substantive law in House Bill 1. Further, this provision may cause compliance issues with the Center for Medicare and Medicaid Services (CMS). In accordance with the Code of Federal Regulations, specifically 42 CFR 438.4 and 438.5, the formulation and certification of Medicaid Managed Care PMPM rates must follow a specific process including, but not limited to, adhering to Generally Accepted Actuarial Principles. Failure to follow this process could lead to failure of rates being certified and eventually approved by CMS.

Enclosed is a copy of the signed version of House Bill 1. I have sent the original to the Secretary of State

Sincerely,

JOHN BEL EDWARDS Governor

Lies over under the rules.

OFFICE OF THE GOVERNOR State of Louisiana

June 18, 2018

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

RE: Veto of House Bill 33 of the Second Extraordinary Session of 2018

Dear Speaker Barras:

After consulting with you and President Alario and your respective staffs, I have vetoed House Bill 33 of the Second Extraordinary Session of 2018. Inadvertently, this bill would provide for an appropriation for the legislature of \$17,499,220.00 over the intended amount. Under Act 79 of the 2018 Regular Session, the legislature is fully funded for fiscal year 2018-2019 at the current year level.

Sincerely,

JOHN BEL EDWARDS Governor

Lies over under the rules.

Adjournment

On motion of Rep. Billiot, at 5:33 P.M., the House agreed to adjourn until Tuesday, June 19, 2018, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Tuesday, June 19, 2018.

ALFRED W. SPEER Clerk of the House