

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

FOURTH 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

Thursday, June 21, 2018

The House of Representatives was called to order at 12:03 P.M., by the Honorable Taylor Barras, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

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

Falconer
Total - 101

Leger

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

Prayer

Prayer was offered by Rep. Hilferty.

Pledge of Allegiance

Rep. Bouie 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 June 20, 2018, 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. 6—

BY REPRESENTATIVE GLOVER

A RESOLUTION

To create and provide for a subcommittee of the House Committee on Commerce to examine certain matters relative to the Revitalizing Auto Communities Environmental Response Trust's (hereinafter "RACER Trust") fulfillment of fiduciary duties concerning the former General Motors Shreveport plant (hereinafter "GM-Shreveport plant") and operations, and to determine whether provisions of the GM-Shreveport plant lease agreement violate Article VII, Section 14(A) of the Constitution of Louisiana.

Read by title.

Under the rules, the above resolution was referred to the Committee on Commerce.

**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. 1—

BY REPRESENTATIVE HENRY

AN ACT

To 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.

Motion

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

HOUSE BILL NO. 4—

BY REPRESENTATIVES BISHOP AND HAZEL 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.

Motion

On motion of Rep. Bishop, the bill was withdrawn from the files of the House.

Recess

On motion of Rep. Carmody, the Speaker declared the House at recess until 1:30 P.M.

After Recess

Speaker Barras called the House to order at 5:29 P.M.

House Business Resumed

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. 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), 321.1(I) and (J), 321.2, 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.

Motion

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

HOUSE BILL NO. 10—

BY REPRESENTATIVES DAVIS, BARRAS, BISHOP, STEVE CARTER, FOIL, HAZEL, MCFARLAND, GREGORY MILLER, AND ZERINGUE AND SENATORS CLAITOR, DONAHUE, 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) 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), 321.2, 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. 10 by Representative Davis

AMENDMENT NO. 1

On page 44, line 8, following "the" and before "of" change "extend" to "extent"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Davis to Engrossed House Bill No. 10 by Representative Davis

AMENDMENT NO. 1

On page 1, line 8, after "321(M)," and before "(331(T)," insert "321.1, 321.2,"

AMENDMENT NO. 2

On page 4, at the end of line 16, insert a comma " , "

AMENDMENT NO. 3

On page 33, delete line 28 in its entirety

AMENDMENT NO. 4

On page 44, between lines 9 and 10, insert the following:

 ** * **

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Steve Carter to Engrossed House Bill No. 10 by Representative Davis

AMENDMENT NO. 1

On page 23, line 15, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 2

On page 23, line 19, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 3

On page 23, line 28, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 4

On page 24, line 3, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 5

On page 24, line 9, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 6

On page 34, line 8, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 7

On page 34, line 12, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 8

On page 34, line 21, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 9

On page 34, line 25, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-quarter of"

AMENDMENT NO. 10

On page 35, line 2, after "rate of" and before "one" delete "two-tenths of" and insert "one-quarter of"

Rep. Steve Carter moved the adoption of the amendments.

Rep. Davis objected.

By a vote of 69 yeas and 31 nays, the amendments were adopted.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thibaut to Engrossed House Bill No. 10 by Representative Davis

AMENDMENT NO. 1

Delete House Floor Amendment No. 1 by Representative Davis (#80)

AMENDMENT NO. 2

Delete the set of Floor Amendments by Representative Steve Carter (#110)

AMENDMENT NO. 3

On page 1, at the beginning of line 8, delete "321.2,"

AMENDMENT NO. 4

On page 1, at the beginning of line 20, delete "321.2,"

AMENDMENT NO. 5

On page 23, line 15, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-half of"

AMENDMENT NO. 6

On page 23, line 19, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-half of"

AMENDMENT NO. 7

On page 23, line 28, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-half of"

AMENDMENT NO. 8

On page 24, line 3, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-half of"

AMENDMENT NO. 9

On page 24, line 9, after "rate of" and before "one percent" delete "two-tenths of" and insert "one-half of"

AMENDMENT NO. 10

Delete pages 34 through 43 in their entirety and on page 44, delete lines 1 through 9 in their entirety

AMENDMENT NO. 11

On page 54, delete lines 3 through 21 in their entirety and insert the following:

"Section 3. This Act shall become effective on July 1, 2018."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Abraham	Foil	Landry, T.
Abramson	Franklin	LeBas
Anders	Gaines	Leger
Armes	Gisclair	Leopold
Bagley	Guinn	Lyons
Bagneris	Hall	Marcelle
Billiot	Harris, J.	Marino
Bouie	Havard	Miller, D.
Brass	Hazel	Norton
Brown, C.	Hilferty	Pearson
Brown, T.	Hill	Pierre
Carmody	Hoffmann	Pope
Carpenter	Howard	Pylant
Carter, G.	Jackson	Richard
Carter, R.	James	Shadoin
Carter, S.	Jefferson	Smith
Chaney	Jenkins	Stagni
Connick	Johnson	Stokes
Cox	Jones	Thibaut
Duplessis	Jordan	White
Total - 60		

NAYS

Mr. Speaker	Glover	Miller, G.
Amedee	Harris, L.	Morris, Jay
Bacala	Henry	Morris, Jim
Berthelot	Hensgens	Muscarello
Bishop	Hodges	Pugh
Coussan	Horton	Schexnayder
Crews	Hunter	Seabaugh

Davis	Huval	Simon
DeVillier	Ivey	Stefanski
Dwight	Landry, N.	Talbot
Edmonds	Mack	Thomas
Emerson	Magee	Zeringue
Falconer	McFarland	
Garofalo	Miguez	
Total - 40		

ABSENT

Cromer	Hollis	Wright
Total - 3		

The Chair declared the above bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

Suspension of the Rules

On motion of Rep. Marino, the rules were suspended in order to take up and consider House and House Concurrent Resolutions on Third Reading for Final Consideration at this time.

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 REPRESENTATIVES MARINO, DUPLESSIS, HAZEL, MUSCARELLO, PYLANT, AND STEFANSKI

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.

Rep. Marino moved the adoption of the resolution.

By a vote of 98 yeas and 0 nays, the resolution was adopted.

Ordered to the Senate.

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Henry gave notice of his intention to call House Bill No. 1 from the calendar on Friday, June 22, 2018.

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Abramson gave notice of his intention to call House Bill No. 9 from the calendar on Friday, June 22, 2018.

Notice of Intention to Call

Pursuant to House Rule No. 8.20(A), Rep. Davis gave notice of her intention to call House Bill No. 10 from the calendar on Friday, June 22, 2018.

Suspension of the Rules

On motion of Rep. Foil, 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 21, 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 Nos. 2 and 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. 2— BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Stanford O. Bardwell Jr., former United States Attorney for the Middle District of Louisiana, well-respected Baton Rouge attorney, loving family man, and active community and faith leader.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 4— BY SENATORS MORRELL, CARTER, PRICE AND BOUDREAUX AND REPRESENTATIVES BOUIE AND SMITH

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the passing of Judge Joan Bernard Armstrong of New Orleans and to note her many accomplishments as a public servant and as an instrument for change in the judiciary of the state.

Read by title.

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

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. 13—
BY REPRESENTATIVE NANCY LANDRY
AN ACT

To repeal Section 2 of Act No. 5 of the 2018 Second Extraordinary Session of the Legislature; to provide for the applicability of Act No. 5 from 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. Nancy 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.

Suspension of the Rules

On motion of Rep. Carmody, 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

HOUSE CONCURRENT RESOLUTIONS

June 21, 2018

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

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 1
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Privileged Report of the Committee on Enrollment

June 21, 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. 4—
BY REPRESENTATIVE BRASS
A RESOLUTION

To commend award-winning artist Fantasia and to welcome her as the special guest at the grand opening of the new St. James High School.

HOUSE RESOLUTION NO. 5—
BY REPRESENTATIVE ABRAHAM
A RESOLUTION

To commend the University of Louisiana System for delivering high quality education to students across the state of Louisiana.

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.

Leave of Absence

Rep. Wright - 1 day

Adjournment

On motion of Rep. Billiot, at 8:23 P.M., the House agreed to adjourn until Friday, June 22, 2018, at 9:30 A.M.

The Speaker of the House declared the House adjourned until 9:30 A.M., Friday, June 22, 2018.

ALFRED W. SPEER
Clerk of the House