

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

FOURTH DAY'S PROCEEDINGS

Fortieth Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, June 13, 2016

The Senate was called to order at 4:30 o'clock P.M. by Hon.
John A. Alario Jr., President of the Senate.

Morning Hour

CONVENING ROLL CALL

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

PRESENT

Mr. President	Erdey	Mizell
Allain	Fannin	Morrish
Appel	Gatti	Peacock
Barrow	Hewitt	Riser
Bishop	Johns	Smith, G.
Boudreaux	LaFleur	Smith, J.
Brown	Lambert	Thompson
Carter	Luneau	Walsworth
Chabert	Martiny	Ward
Colomb	Milkovich	
Cortez	Mills	
Total - 31		

ABSENT

Claitor	Morrell	Tarver
Donahue	Perry	White
Long	Peterson	
Total - 8		

The President of the Senate announced there were 31 Senators
present and a quorum.

Prayer

The prayer was offered by Senator Mizell, following which the
Senate joined in the Pledge of Allegiance to the flag of the United
States of America.

Reading of the Journal

On motion of Senator Riser, the reading of the Journal was
dispensed with and the Journal of June 8, 2016, was adopted.

**Introduction of Senate Bills
and Joint Resolutions**

SENATE BILL NO. 10—
BY SENATOR WARD

AN ACT

To amend and reenact R.S. 47:2327 and 6006(C)(3) and to enact R.S.
47:6006(C)(2)(b)(vi), relative to the ad valorem tax on
inventories and related income tax credits; to provide with
regard to the confidentiality of tax records; to provide with
regard to the definitions of inventory and manufacturer for the
purpose of tax credits for local inventory taxes paid; to provide

for certain limitations; to provide for effectiveness; and to
provide for related matters.

The bill was read by title and placed on the Calendar for a
second reading.

SENATE BILL NO. 11—
BY SENATOR BARROW

AN ACT

To amend and reenact the introductory paragraph of R.S. 47:302(X),
and the introductory paragraph of R.S. 47:321.1(F), and to enact
R.S. 47:302(AA) and 321.1(I), relative to state sales and use tax;
to restore certain education related exemptions applicable to
state sales tax; to provide for an effective date; and to provide
for related matters.

The bill was read by title and placed on the Calendar for a
second reading.

SENATE BILL NO. 12—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 39:467 and 468, relative to sales and use
tax exemptions for publicly owned facilities; to limit the
application of the exemptions; and to provide for related
matters.

The bill was read by title and placed on the Calendar for a
second reading.

SENATE BILL NO. 13—
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:293(9)(a)(xvii), relative to the
individual income tax deduction for net capital gains; to provide
for nonseverability; to provide for an effective date; and to
provide for related matters.

The bill was read by title and placed on the Calendar for a
second reading.

SENATE BILL NO. 14—
BY SENATOR MORRELL

AN ACT

To enact the Omnibus Bond Authorization Act of 2016 and to repeal
the Act which originated as House Bill No. 3 of the 2016
Regular Session of the Legislature, 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; and to provide for related matters.

The bill was read by title and placed on the Calendar for a
second reading.

Introduction of Senate Resolutions

Senator Hewitt asked for and obtained a suspension of the rules
to read Senate Resolutions a first and second time.

SENATE RESOLUTION NO. 4—
BY SENATOR BARROW

A RESOLUTION

To recognize June 14, 2016, as National Flag Day and to commend
Louisiana citizens for their military service.

The resolution was read by title and placed on the Calendar for
a second reading.

SENATE RESOLUTION NO. 5—
BY SENATOR GARY SMITH

A RESOLUTION

To commend Mr. Merrill James Dasch Sr. of Norco, Louisiana, on
the occasion of his one hundredth-first birthday, June 2, 2016,
and to honor and celebrate his lifetime of outstanding
accomplishments.

The resolution was read by title and placed on the Calendar for
a second reading.

June 13, 2016

SENATE RESOLUTION NO. 6—
BY SENATOR HEWITT

A RESOLUTION

To commend Gabrielle Jennings for winning forty-three state titles in cross country, and indoor and outdoor track, and congratulates her on the occasion of her high school graduation from First Baptist Christian School in Slidell and on the signing of a cross country scholarship with Furman University in Greenville, South Carolina.

On motion of Senator Hewitt the resolution was read by title and adopted.

SENATE RESOLUTION NO. 7—
BY SENATOR JOHNS

A RESOLUTION

To commend and congratulate the Phillips 66 Lake Charles Refinery on its seventy-fifth anniversary of operation.

The resolution was read by title and placed on the Calendar for a second reading.

**Introduction of
Senate Concurrent Resolutions**

SENATE CONCURRENT RESOLUTION NO. 2—
BY SENATOR BROWN AND REPRESENTATIVE JORDAN
A CONCURRENT RESOLUTION

To commend and congratulate the West Baton Rouge Parish Museum, its director and exhibit team for the exhibit, "Cohn High School: How We Love Thee".

The resolution was read by title and placed on the Calendar for a second reading.

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

June 9, 2016

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

- | | | |
|-----------|-----------|-----------|
| HB No. 2 | HB No. 20 | HB No. 24 |
| HB No. 29 | HB No. 35 | HB No. 47 |
| HB No. 51 | HB No. 52 | HB No. 53 |
| HB No. 25 | | |

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

HOUSE BILL NO. 2—
BY REPRESENTATIVE ABRAMSON
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 20—
BY REPRESENTATIVE REYNOLDS
AN ACT

To amend and reenact R.S. 47:287.95(A), (C)(1), (D), (E), and (F)(2)(b) and to enact R.S. 47:287.95(L) and (M), 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 the sourcing of certain sales; to provide for applicability; to provide for an effective date; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 24—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 22:832(A)(3) and to enact R.S. 22:832(C)(6), relative to the insurance premium tax; to exempt health maintenance organizations from the reduction of the tax due made in Act No. 10 of the 2016 First Extraordinary Session; to provide for qualifying Louisiana investments of health maintenance organizations; to provide for effectiveness; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 25—
BY REPRESENTATIVE LYONS
AN ACT

To amend and reenact R.S. 47:6025(A)(1), relative to income tax credits; to provide for the Louisiana Citizens Property Insurance Corporation assessment tax credit; to reduce the amount of the credit; to repeal the sunset of the reduction in the amount of the credit; to provide for effectiveness; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 29—
BY REPRESENTATIVE PRICE
AN ACT

To amend and reenact R.S. 47:115(A)(3) and (C) and 1624(A), to enact R.S. 47:1624(C) through (E), and to repeal R.S. 47:287.657, 617, and 1624.1, relative to the payment of interest on certain overpayments; to provide for the calculation of interest on certain overpayments; to provide for the authority of the secretary of the Department of Revenue to pay interest on overpayments; to provide for certain limitations and requirements; to provide for effectiveness; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 35—
BY REPRESENTATIVE ANDERS
AN ACT

To amend and reenact R.S. 22:842 and to repeal R.S. 22:270, relative to the annual tax on health maintenance organizations; to establish the rate of the annual minimum tax; to provide for applicability; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 47—
BY REPRESENTATIVE BROADWATER
AN ACT

To amend and reenact Section 5 of Act No. 123 of the 2015 Regular Session of the Legislature and Section 2 of Act No. 6 of the 2016 First Extraordinary Session of the Legislature, relative to corporate income tax; to provide for the net operating loss deduction for corporate income taxes; to provide for applicability and an effective date; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 51—
BY REPRESENTATIVES JIM MORRIS, ABRAMSON, AMEDEE, BAGLEY, BAGNERIS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BROADWATER, CHAD BROWN, TERRY BROWN, CARMODY, ROBBY CARTER, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, DAVIS, DEVILLIER, DWIGHT, EDMONDS, EMERSON, GAINES, GAROFALO, LANCE HARRIS, HAVARD, HENSGENS, HILFERTY, HILL, HOFFMANN, HORTON, HOWARD, HUVAL, JACKSON, JAMES, JEFFERSON, JENKINS, MIKE JOHNSON, ROBERT JOHNSON, JONES, LEBAS, LEGER, MAGEE, MARCELLE, MIGUEZ, JAY MORRIS, POPE, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SEABAUGH, STOKES, THIBAUT, WHITE, WILLMOTT, AND ZERINGUE AND SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 47:302(V)(introductory paragraph) as enacted by Act No. 25 of the 2016 First Extraordinary Session of the Louisiana Legislature and to enact R.S. 47:302(AA) and 321.1(F)(66), relative to state sales and use taxes; to provide with respect to the effectiveness of exemptions and exclusions for sales of certain tangible personal property and services; to provide for effectiveness; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 52—
BY REPRESENTATIVE ABRAMSON
AN ACT

To provide relative to the capital outlay appropriations for Fiscal Year 2016-2017; to provide with respect to capital outlay project requests; to require the submission of certain capital outlay project requests; to provide for applicability; to provide for effectiveness.

The bill was read by title and placed on the Calendar for a second reading.

HOUSE BILL NO. 53—
BY REPRESENTATIVE ABRAMSON
AN ACT

To amend and reenact R.S. 39:467 and 468, relative to sales of certain services and tangible personal property at certain facilities owned by the state or a political subdivision; to impose a local public entertainment facility access charge; to provide for the collection and use of certain state and local revenues; to provide for exemptions from certain taxes and charges; to provide for effectiveness; and to provide for related matters.

The bill was read by title and placed on the Calendar for a second reading.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS**

Senator Jean-Paul "JP" Morrell, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 13, 2016

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 1—
BY SENATOR GATTI
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:302(X) and the introductory paragraph of R.S. 47:321.1(F), and to enact R.S. 47:302(AA) and 321.1(I), relative to state sales and use tax; to provide with respect to the sales tax exemption for admissions to athletic and entertainment events for elementary and secondary schools; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 4—
BY SENATORS CHABERT AND ALARIO
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:302(X) and the introductory paragraph of R.S. 47:321.1(F), and to enact R.S. 47:302(AA) and 321.1(I), relative to state sales and use tax; to provide with respect to the sales tax exemption for purchases of fishing vessels, supplies, fuels, lubricants, and repair services by a licensed commercial fisherman; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 7—
BY SENATOR MORRELL
AN ACT

To amend and reenact R.S. 47:297.8(A), relative to refundable tax credits; to increase the earned income tax credit; to provide for effectiveness; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JEAN-PAUL "JP" MORRELL
Chairman

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Fannin	Morrish
Allain	Gatti	Peacock
Appel	Hewitt	Riser
Barrow	Johns	Smith, G.
Bishop	LaFleur	Smith, J.
Boudreaux	Lambert	Tarver
Brown	Luneau	Thompson

June 13, 2016

Carter
Chabert
Colomb
Cortez
Erdey
Total - 34

Martiny
Milkovich
Mills
Mizell
Morrell

Walsworth
Ward
White

ABSENT

Claitor
Donahue
Total - 5

Long
Perry

Peterson

Leaves of Absence

The following leaves of absence were asked for and granted:

Claitor	1 Day	Donahue	1 Day
Long	1 Day	Perry	1 Day

Announcements

The following committee meetings for June 14, 2016, were announced:

Revenue and Fiscal Affairs 1:00 P.M. Hainkel Room

Adjournment

On motion of Senator Thompson, at 4:50 o'clock P.M. the Senate adjourned until Tuesday, June 14, 2016, at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP
Secretary of the Senate

DIANE O' QUIN
Journal Clerk