

**DAILY PROOF OF THE OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA
FIRST DAY'S PROCEEDINGS**

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, February 13, 2017

The Senate was called to order at 6:40 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	Morrell
Allain	Fannin	Morrish
Appel	Gatti	Peacock
Barrow	Hewitt	Perry
Boudreaux	Johns	Peterson
Brown	Lambert	Riser
Carter	Long	Smith, G.
Chabert	Luneau	Smith, J.
Claitor	Martiny	Tarver
Colomb	Milkovich	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward

Total - 36

ABSENT

Bishop	LaFleur	White
--------	---------	-------

Total - 3

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

The prayer was offered by Reverend Jeffery Bayhi, 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 Fannin, the reading of the Journal was dispensed with and the Journal of June 23, 2016, was adopted.

Messages from the Governor

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA
OFFICE OF THE GOVERNOR
BATON ROUGE, LOUISIANA**

PROCLAMATION NUMBER 14 JBE 2017

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 6:30 o'clock p.m. on the 13th day of February 2017, and ending no later than the 22nd day of February, 2017. This extraordinary session is also called to address the necessary adjustments in appropriations as required by Paragraph F of Section 10 of Article VII of the Constitution of Louisiana. The power to legislate at such session shall be limited, under penalty of nullity, to the following specified enumerated objects:

ITEM NO. 1: To provide for the ordinary operating expenses of state government for the Fiscal Year 2016-2017.

ITEM NO. 2: To legislate with regard to the transfer, dedication, deposit, use and appropriation of monies in state funds.

ITEM NO. 3: To legislate with regard to statutory dedications.

ITEM NO. 4: To legislate with regard to the Budget Stabilization Fund.

ITEM NO. 5: To legislate with regard to fees.

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 3rd day of February, 2017.

JOHN BEL EDWARDS
Governor of Louisiana

ATTEST BY
THE GOVERNOR

TOM SCHINDLER
Secretary of State

Rules Suspended

Senator Long asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Senate Resolutions

Senator Long asked for and obtained a suspension of the rules to introduce and read Senate Resolutions a first and second time and act upon them.

SENATE RESOLUTION NO. 1

BY SENATOR LONG

A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a Committee of five be appointed to notify the House of Representatives that the Senate is now duly convened and organized and prepared to transact such business as may be brought before it.

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

In compliance with the resolution the President of the Senate appointed the following Committee:

- Senators Donahue,
- Fannin,
- John Smith,
- Barrow and
- Colomb.

SENATE RESOLUTION NO. 2

BY SENATOR LONG

A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a Committee of six be appointed to act with such a Committee as the House of Representatives may appoint to notify the Governor that the Legislature is now duly convened and organized and prepared to receive such communication as he may desire to lay before it.

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

In compliance with the resolution the President of the Senate appointed the following Committee:

- Senators Allain,
- Gary Smith,
- Martiny,
- Riser and
- Carter.

Reports of Committees

The Committee appointed to notify the Governor that the Senate had convened and was prepared to transact business reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

The Committee appointed to notify the House of Representatives that the Senate had convened and was prepared to transact business reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

Committee from the House of Representatives

A Committee from the House of Representatives appeared before the Bar of the Senate and informed the Senate that the House of Representatives was organized and ready to proceed with business.

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 1—

BY SENATOR LONG

A CONCURRENT RESOLUTION

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

The concurrent resolution was read by title. Senator Long moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

- Mr. President
- Hewitt
- Perry
- Appel
- Lambert
- Peterson

- Barrow
- Boudreaux
- Brown
- Carter
- Chabert
- Claitor
- Erdey
- Gatti
- Long
- Luneau
- Milkovich
- Mills
- Mizell
- Morrell
- Morrish
- Peacock
- Riser
- Smith, J.
- Tarver
- Thompson
- Walsworth
- Ward

Total - 28

NAYS

Total - 0

ABSENT

- Allain
- Bishop
- Colomb
- Cortez
- Donahue
- Fannin
- Johns
- LaFleur
- Martiny
- Smith, G.
- White

Total - 11

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

Motion

Senator Peacock moved that the Senate proceed to the House of Representatives to meet in Joint Session.

Joint Session of the Legislature

The joint session of the legislature was called to order at 7:00 P.M. by the Honorable John A. Alario, Jr., President of the Senate.

On motion of Senator Long, the calling of the roll on the part of the Senate was dispensed with.

On motion of Representative 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 Ward, Milkovich, Luneau, Gatti, and Tarver.

On the part of the House: Representatives Bacala, Foil, Hodges, Lyons, and Pierre.

Prayer

Prayer was offered by Reverend Leo Cyrus of New Hope Baptist Church in Baton Rouge.

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.

Jacob Cowley 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 Senator Long, the Senate retired to its own chamber.

After Joint Session

ROLL CALL

The Senate was called to order by the President of the Senate with the following Senators present:

PRESENT

Mr. President	Erdey	Morrell
Allain	Fannin	Morrish
Appel	Gatti	Peacock
Barrow	Hewitt	Perry
Boudreaux	Johns	Peterson
Brown	Lambert	Riser
Carter	Long	Smith, G.
Chabert	Luneau	Smith, J.
Claitor	Martiny	Thompson
Colomb	Milkovich	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	
Total - 35		

ABSENT

Bishop	Tarver
LaFleur	White
Total - 4	

The President of the Senate announced there were 35 Senators present and a quorum.

**Senate Business Resumed
After Joint Session**

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

February 13, 2017

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 1—
BY SENATOR LONG**

A CONCURRENT RESOLUTION

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

Reported without amendments.

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

Rules Suspended

Senator Gatti asked for and obtained a suspension of the rules to take up at this time:

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 3—

BY SENATORS CLAITOR, HEWITT AND MIZELL
A RESOLUTION

To expel Senator Troy E. Brown from the Louisiana Senate and to declare the office of Senator from the Second Senatorial District to be vacant.

Senator Colomb moved to indefinitely postpone the Resolution.

Senator Claitor objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barrow	Brown	Colomb
Total - 3		

NAYS

Mr. President	Gatti	Peacock
Allain	Hewitt	Perry
Appel	Johns	Peterson
Boudreaux	Lambert	Riser
Carter	Long	Smith, G.
Chabert	Luneau	Smith, J.
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward
Erdey	Morrell	
Fannin	Morrish	
Total - 31		

ABSENT

Bishop	Milkovich	White
LaFleur	Tarver	
Total - 5		

The Chair declared the motion failed to pass.

The resolution was read by title and referred by the President to the Select Committee on Discipline and Expulsion.

The President announced that the Select Committee on Discipline and Expulsion will meet on Wednesday, February 15, 2017, at 10:00 a.m. and Monday, February 20, 2017, at 9:00 a.m. in the Senate Chamber.

SENATE RESOLUTION NO. 4—

BY SENATORS MORRELL, ALARIO, ALLAIN, APPEL, BARROW, BISHOP, BOUDREAUX, BROWN, CARTER, CHABERT, CLAITOR, COLOMB, CORTEZ, DONAHUE, ERDEY, FANNIN, GATTI, HEWITT, JOHNS, LAFLEUR, LAMBERT, LONG, LUNEAU, MARTINY, MILKOVICH, MILLS, MIZELL, MORRISH, PEACOCK, PERRY, PETERSON, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

A RESOLUTION

To commend and congratulate Judge Dennis R. Bagneris for his many years of public service and on the occasion of his retirement from the Louisiana Fourth Circuit Court of Appeal.

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

SENATE RESOLUTION NO. 5—

BY SENATOR COLOMB
A RESOLUTION

To formally discipline and censure Senator Troy E. Brown for misconduct while serving as a member of the Louisiana State Senate.

Senator Morrell moved to indefinitely postpone the Resolution.

Senator Colomb objected.

February 13, 2017

ROLL CALL

The roll was called with the following result:

YEAS

Allain Gatti Peterson
Appel Hewitt Riser
Claitor Johns Smith, J.
Donahue Morrell Walsworth
Erdey Morrish Ward
Fannin Perry
Total - 17

NAYS

Mr. President Colomb Milkovich
Barrow Cortez Mills
Boudreaux Lambert Mizell
Brown Long Peacock
Carter Luneau Smith, G.
Chabert Martiny Thompson
Total - 18

ABSENT

Bishop Tarver
LaFleur White
Total - 4

The Chair declared the motion failed to pass.

The resolution was read by title and referred by the President to the Select Committee on Discipline and Expulsion.

The President announced that the Select Committee on Discipline and Expulsion will meet on Wednesday, February 15, 2017, at 10:00 a.m. and Monday, February 20, 2017, at 9:00 a.m. in the Senate Chamber.

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 2— BY SENATORS ALARIO, BARROW, CHABERT, JOHNS, LAFLEUR, LONG AND MORRISH

A CONCURRENT RESOLUTION

To make available for appropriation from the Budget Stabilization Fund the sum of \$119,660,723, an amount equal to one-third of the fund not to exceed the projected deficit, due to the reduction of the Fiscal Year 2016-2017 official forecast in the amount of \$340.5 Million as adopted by the Revenue Estimating Conference at its meeting on January 13, 2017, resulting in the second mid-year deficit for the current fiscal year, and presented to and recognized by the Joint Legislative Committee on the Budget at its meeting on January 27, 2017.

The resolution was read by title and referred by the President to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 3— BY SENATOR ALARIO

A CONCURRENT RESOLUTION

To commemorate the twenty-sixth anniversary of the conclusion of Operation Desert Storm and to indicate support for a National Desert Storm War Memorial in Washington, D.C.

The concurrent resolution was read by title. Senator Gatti moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Erdey Morrell
Allain Fannin Morrish
Appel Gatti Peacock
Barrow Hewitt Perry
Boudreaux Johns Peterson
Brown Lambert Riser
Carter Long Smith, G.
Chabert Luneau Smith, J.
Claitor Martiny Tarver
Colomb Milkovich Thompson
Cortez Mills Walsworth
Donahue Mizell Ward
Total - 36

NAYS

Total - 0

ABSENT

Bishop LaFleur White
Total - 3

The Chair declared the Senate adopted the Senate Concurrent Resolution and ordered it sent to the House.

Leave Request

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

Dear President Alario:

I request your permission for leave from the Senate on February 13 - 18, 2017, due to travel.

Sincerely,
MACK "BODI" WHITE, JR.
State Senator
Senate District 6

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

Dear President Alario:

I request your permission for leave from the Senate on February 13 - 16, 2017, due to illness.

Sincerely,
WESLEY BISHOP
State Senator
Senate District 4

ATTENDANCE ROLL CALL

PRESENT

Mr. President Erdey Morrell
Allain Fannin Morrish
Appel Gatti Peacock
Barrow Hewitt Perry
Boudreaux Johns Peterson
Brown Lambert Riser
Carter Long Smith, G.
Chabert Luneau Smith, J.
Claitor Martiny Tarver
Colomb Milkovich Thompson

Cortez
Donahue
Total - 36

Mills
Mizell

Walsworth
Ward

ABSENT

Bishop
Total - 3

LaFleur

White

Leaves of Absence

The following leaves of absence were asked for and granted:

Bishop 1 Day LaFleur 1 Day White 1 Day

Announcements

The following committee meetings for February 14, 2017, were announced:

Finance 2:00 P.M. Room A/B

Adjournment

On motion of Senator Thompson, at 8:00 o'clock P.M. the Senate adjourned until Tuesday, February 14, 2017, at 5:00 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