

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

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Sunday, June 24, 2018

The Senate was called to order at 3:50 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:

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Fannin	Mizell
Allain	Gatti	Morrell
Appel	Hewitt	Morrish
Barrow	Johns	Peacock
Carter	LaFleur	Perry
Chabert	Lambert	Price
Claitor	Long	Smith, G.
Colomb	Luneau	Smith, J.
Cortez	Martiny	Walsworth
Donahue	Milkovich	Ward
Erdey	Mills	White
Total - 33		

ABSENT

Bishop	Peterson	Tarver
Boudreaux	Riser	Thompson
Total - 6		

The President of the Senate announced there were 33 Senators
present and a quorum.

Prayer

The prayer was offered by Senator Gerald Long, 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 Martiny, the reading of the Journal was
dispensed with and the Journal of June 23, 2018, was adopted.

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 25—
BY SENATOR ALLAIN

A RESOLUTION

To commend Kennedi Look for being selected as a candidate to
represent Louisiana at the HOBY World Leadership Congress
to be held on July 21-28, 2018, at Loyola University, Chicago,
Illinois.

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

SENATE RESOLUTION NO. 26—
BY SENATOR MILKOVICH

A RESOLUTION

To commend Robert "Robbo" Davidson, retired Chief of
Investigations and Chief Deputy for the DeSoto Parish Sheriff's
Office on his active support of law enforcement, despite having
retired from his law enforcement career in 2013 after thirty
years of dedicated service to DeSoto Parish.

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

SENATE RESOLUTION NO. 27—
BY SENATOR BARROW

A RESOLUTION

To urge and request the Senate Committee on Revenue and Fiscal
Affairs to study Louisiana's tax structure and policy and to make
recommendations for changes to the state's tax laws in an effort
to modernize and enhance the efficiency and fairness of the
state's tax policies for individuals and businesses.

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

SENATE RESOLUTION NO. 28—
BY SENATOR BARROW

A RESOLUTION

To urge and request the Senate Committee on Judiciary C to study
and evaluate the infrastructure, equipment, and services of the
state's correctional facilities.

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

SENATE RESOLUTION NO. 29—
BY SENATOR CLAITOR

A RESOLUTION

To commend Roberto Carreras for being selected to represent
Louisiana at the HOBY World Leadership Congress to be held
on July 21-28, 2018, at Loyola University, Chicago, Illinois.

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

SENATE RESOLUTION NO. 30—
BY SENATOR HEWITT

A RESOLUTION

To commend Chris Barron for being selected as a candidate to
represent Louisiana at the HOBY World Leadership Congress
to be held on July 21-28, 2018, at Loyola University, Chicago,
Illinois.

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

SENATE RESOLUTION NO. 31—
BY SENATOR TARVER

A RESOLUTION

To commend Aaron Warren of Shreveport, Louisiana, for being
selected as a candidate to represent Louisiana at the HOBY
World Leadership Congress to be held on July 21-28, 2018, at
Loyola University, Chicago, Illinois.

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

June 24, 2018

SENATE RESOLUTION NO. 32— BY SENATOR LAMBERT

A RESOLUTION

To commend Camille Elizabeth Cancienne of Prarieville, Louisiana, for being selected as a candidate to represent Louisiana at the Hugh O'Brian Youth (HOBY) World Leadership Congress to be held on July 21-28, 2018, at Loyola University, Chicago, Illinois.

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

Senate Resolutions on Second Reading

SENATE RESOLUTION NO. 23— BY SENATOR LAFLEUR

A RESOLUTION

To commend Lillyanne Brignac on being selected as a candidate to represent Louisiana at the Hugh O'Brian Youth World Leadership Congress slated for July 21 through 28, 2018, at Loyola University in Chicago, Illinois.

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

SENATE RESOLUTION NO. 24— BY SENATOR APPEL

A RESOLUTION

To commend Mary Guy of Metairie, Louisiana, for being selected as a candidate to represent Louisiana at the Hugh O'Brian Youth (HOBY) World Leadership Congress slated for July 21-28, 2018, at Loyola University, Chicago, Illinois.

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

House Bills and Joint Resolutions on Third Reading and Final Passage

Rules Suspended

Senator LaFleur asked for and obtained a suspension of the rules to pass over House Bill No. 1.

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.I(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.

The bill was read by title. Senator Donahue moved the final passage of the bill.

YEAS

Table listing names of Senators and Representatives who voted 'YEAS' for House Bill No. 10.

Table listing names of Senators and Representatives who voted 'NAYS' for Senate Resolution No. 32.

NAYS

Table listing names of Senators and Representatives who voted 'ABSENT' for Senate Resolution No. 32.

ABSENT

Total - 0

The Chair declared the bill was passed and ordered it returned to the House. Senator Donahue moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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. 33— BY SENATOR GATTI

A RESOLUTION

To commend Jillian Maxwell for being selected as a candidate to represent Louisiana at the HOBY World Leadership Congress to be held on July 21-28, 2018, at Loyola University, Chicago, Illinois.

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

SENATE RESOLUTION NO. 34— BY SENATOR GATTI

A RESOLUTION

To commend and congratulate the Benton Elementary School Archery Team on winning the championship in the Bullseye and 3-D Challenge divisions of the National Archery in Schools Program World Tournament.

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

House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

HOUSE BILL NO. 1—

BY REPRESENTATIVES HENRY, BAGNERIS, BERTHELOT, BILLIOT, BOUIE, TERRY BROWN, CARPENTER, STEVE CARTER, CHANEY, GISCLAIR, HALL, JACKSON, JEFFERSON, JONES, LEBAS, MARCELLE, NORTON, AND WHITE

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.

Floor Amendments

Senator LaFleur proposed the following amendments.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator LaFleur to Reengrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Finance and adopted by the Senate on June 23, 2018, on page 1, delete lines 18 through 29, and insert the following:

"B.(1) Notwithstanding any provision of law to the contrary, this Subsection (B) shall be effective only in the event any official forecast for Fiscal Year 2018-2019 is increased by the Revenue Estimating Conference after July 1, 2018, but no later than December 31, 2018, greater than that necessary to first fully fund each appropriation contained in the appropriation bills enacted by the legislature in the 2018 Regular Session and the 2018 Second and Third Extraordinary Sessions, and including Subsection (A) of this Section.

(2)(a) If the increase in the official forecast as provided in Subsection (B)(1) is sufficient to fully fund the appropriations in this Subsection (B), each appropriation in this Subsection (B) may be fully funded. The commissioner of administration shall submit a plan for approval and implementation to the Joint Legislative Committee on the Budget. The Joint Legislative Committee on the Budget may approve the plan as submitted by the commissioner of administration or as modified by the committee.

(b) If the increase in the official forecast as provided in Subsection (B)(1) is not sufficient to fully fund the appropriations in this Subsection (B), such increases in revenues shall be distributed to the appropriations contained in this Subsection (B) based on a plan by the commissioner of administration and approved by the Joint Legislative Committee on the Budget. The commissioner of administration shall submit a plan for approval and implementation to the Joint Legislative Committee on the Budget based on a pro rata or prioritized basis. The Joint Legislative Committee on the Budget may approve the plan as submitted by the commissioner of administration or as modified by the committee.

(c) In no event shall the Joint Legislative Committee on the Budget approve a plan that exceeds any of the appropriations contained in this Subsection (B)."

AMENDMENT NO. 2

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Finance and adopted by the Senate on June 23, 2018, on page 2, line 14, delete "\$500,000" and insert "\$130,206"

AMENDMENT NO. 3

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Finance and adopted by the Senate on June 23, 2018, on page 2, line 17, delete "\$110,206" and insert "\$480,000"

AMENDMENT NO. 4

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Finance and adopted by the Senate on June 23, 2018, on page 3, between lines 1 and 2, insert the following:

"Payable out of the State General Fund (Direct) to the Administration Program for a CSO pay raise \$ 4,000,000"

AMENDMENT NO. 5

In Senate Committee Amendment No. 6, proposed by the Senate Committee on Finance and adopted by the Senate on June 23, 2018, on page 3, delete lines 4 through 13, and insert the following:

"Payable out of the State General Fund (Direct) to the Office of Juvenile Justice for the Raise the Age Initiative, for major repairs at state centers for youth, and for operating expenses of the Acadiana Center for Youth \$ 10,800,000"

AMENDMENT NO. 6

On page 2, at the end of line 31, delete "\$5,450,628" and insert "\$5,820,422"

AMENDMENT NO. 7

On page 2, delete lines 32 through 34

AMENDMENT NO. 8

On page 3, at the end of line 37, delete "\$9,400,000" and insert "\$5,400,000"

AMENDMENT NO. 9

On page 4, between lines 30 and 31, insert the following:

"Payable out of the State General Fund (Direct) to the Office of Juvenile Justice for operating expenses \$ 4,000,000"

On motion of Senator LaFleur, the amendments were adopted.

The bill was read by title. Senator LaFleur moved the final passage of the amended bill.

YEAS

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

Total - 39

NAYS

Total - 0

ABSENT

Total - 0

The Chair declared the amended bill was passed and ordered it returned to the House. Senator LaFleur moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 24, 2018

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 Concurrent Resolutions:

HCR No. 7

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

House Concurrent Resolutions on First Reading

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

June 24, 2018

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVE STOKES
A CONCURRENT RESOLUTION

To establish the Sales Tax Streamlining and Modernization Commission, as the successor to the commission established by Act No. 405 of the 2015 Regular Session of the Legislature, to continue the comprehensive study of Louisiana's state and local sales and use tax systems.

The resolution was read by title. Senator Ward moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Donahue, Total - 33; Erdey, Fannin, Gatti, Hewitt, Johns, Lambert, Long, Luneau, Martiny, Milkovich, Mizell; Morrish, Peacock, Perry, Price, Riser, Smith, G., Smith, J., Thompson, Walsworth, Ward, White.

NAYS

Total - 0

ABSENT

Table with 3 columns of names: Cortez, LaFleur, Total - 6; Mills, Morrell; Peterson, Tarver.

The Chair declared the Senate concurred in the House Concurrent Resolution and ordered it returned to the House.

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 24, 2018

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. 7—

BY SENATORS CLAITOR, ALARIO, ALLAIN, APPEL, BOUDREAU, CARTER, CHABERT, DONAHUE, ERDEY, FANNIN, HEWITT, JOHNS, LAMBERT, LONG, LUNEAU, MILKOVICH, MILLS, MIZELL, PEACOCK, RISER, GARY SMITH, JOHN SMITH, TARVER, THOMPSON, WALSWORTH, WARD AND WHITE

A CONCURRENT RESOLUTION

To express the sincere condolences of the Louisiana Legislature upon the death of Charles Krauthammer.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR MARTINY
A CONCURRENT RESOLUTION

To commend Gerald N. "Jerry" Giovaniello upon his retirement from the National Association of REALTORS® and to congratulate him for his thirty-seven years of service to the real estate industry and property owners nationwide.

Reported without amendments.

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

Rules Suspended

Senator Long asked for and obtained a suspension of the rules to take 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.

SENATE RESOLUTION NO. 35

BY SENATOR LONG
A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of five be appointed by the President of the Senate to serve with a like committee from the House of Representatives to notify the Governor that the Legislature of the State of Louisiana has completed its labors and is now ready to adjourn sine die.

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 Claitor, Martiny, Riser, Peterson and Ward.

SENATE RESOLUTION NO. 36

BY SENATOR LONG
A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of five be appointed by the President of the Senate to notify the House of Representatives that the Senate has completed its labors and is now ready to adjourn sine die.

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 Gary Smith, Milkovich, Price, Fannin and Peacock.

Reports of Committees

The committee to notify the Governor that the Senate had completed its labors and was ready to adjourn sine die returned and reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

The committee to notify the House of Representatives that the Senate had completed its labors and was ready to adjourn sine die returned and 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 ready to adjourn sine die.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 24, 2018

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

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), 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.

and asked that the President of the Senate affix his signature to the same.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

ATTENDANCE ROLL CALL

ROLL CALL

The roll was called with the following result:

PRESENT

Table listing members present: Mr. President, Allain, Appel, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Donahue, Erdey, Fannin, Gatti, Hewitt, Johns, LaFleur, Lambert, Long, Luneau, Martiny, Milkovich, Mills, Mizell, Morrell, Morrish, Peacock, Perry, Peterson, Price, Riser, Smith, G., Smith, J., Tarver, Thompson, Walsworth, Ward, White.

Total - 39

ABSENT

Total - 0

Adjournment

On motion of Senator Thompson, at 8:00 o'clock P.M. the Senate adjourned sine die.

The President of the Senate declared the Senate adjourned sine die.

GLENN A. KOEPP Secretary of the Senate

DIANE O' QUIN Journal Clerk