

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

FIRST DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, February 19, 2018

The Senate was called to order at 4:05 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	Fannin	Peacock
Allain	Gatti	Perry
Appel	Hewitt	Peterson
Bishop	Johns	Price
Boudreaux	Lambert	Riser
Carter	Long	Smith, G.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward
Erdey	Morrish	White
Total - 33		

ABSENT

Barrow	LaFleur	Morrell
Colomb	Milkovich	Smith, J.
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 Fannin, the reading of the Journal was dispensed with and the Journal of June 16, 2017, was adopted.

Message 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 26 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 seventeen calendar days, beginning at 4:00 o'clock p.m. on the 19th day of February, 2018, and ending no later than the 7th day of March, 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 brackets for state income tax.
- ITEM NO. 2: To legislate with regard to the state sales and use tax on the sales of services.
- ITEM NO. 3: To legislate with regard to Act 126 of the 2015 Regular Session.
- ITEM NO. 4: To legislate with regard to Act 123 of the 2015 Regular Session.
- ITEM NO. 5: To legislate with regard to Act 109 of the 2015 Regular Session.
- ITEM NO. 6: To legislate with regard to the deductibility of excess federal itemized personal deductions in computing state income taxes.
- ITEM NO. 7: 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. 8: To legislate with regard to the exemption from taxation for the sale or use of natural gas, water, steam, electric power or energy sold for non-residential use and consumption and any other exemptions provided in those portions of Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 that provide exemptions for business utilities from the taxes imposed therein.
- ITEM NO. 9: To legislate with regard to the income tax treatment of federal net disaster losses.
- ITEM NO. 10: To legislate with regard to the telecommunications tax for the deaf levied under R.S. 47:1061.
- ITEM NO. 11: To legislate with regard to state agency expenditure reporting.
- ITEM NO. 12: To legislate with regard to the expenditure limit.
- ITEM NO. 13: To legislate with regard to work requirements for Medicaid recipients who are able-bodied adults.
- ITEM NO. 14: To legislate with regard to the factors to be considered by the Louisiana Department of Health in making Medicaid eligibility determinations.
- ITEM NO. 15: To legislate with regard to an exception under R.S. 47:1508 to grant the Legislative Auditor authority to review taxpayer information to verify income eligibility for Medicaid.

February 19, 2018

ITEM NO. 16: To legislate with regard to a copayment requirement under the Medicaid program.

ITEM NO. 17: To legislate with regard to the Deepwater Horizon Economic Damages Collection Fund.

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 9th day of February, 2018.

JOHN BEL EDWARDS
Governor of Louisiana

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 Long, Thompson, Fannin, Donahue, and Mizell.

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 Claitor, Morrish, Martiny, Gary Smith, and Allain.

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

Table with 3 columns: Name, Name, Name. Includes Mr. President, Appel, Boudreaux, Carter, Chabert, Claitor, Cortez, Erdey, Gatti, Hewitt, Lambert, Luneau, Mills, Morrish, Peacock, Perry, Peterson, Price, Riser, Smith, G., Tarver, Thompson, Walsworth, Ward, White.

Total - 25

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Name, Name. Includes Allain, Barrow, Bishop, Colomb, Donahue, Fannin, Johns, LaFleur, Long, Martiny, Milkovich, Mizell, Morrell, Smith, J.

Total - 14

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

Prefiled Senate Bills and Joint Resolutions to be Introduced and Referred

Senator Gatti asked for and obtained a suspension of the rules to introduce and read prefiled Senate Bills and Joint Resolutions a first and second time and refer them to committee.

SENATE BILL NO. 1—
BY SENATOR MORRELL

AN ACT

To amend and reenact Section 4 of Act No. 109 of the 2015 Regular Session of the Legislature and to repeal Section 2 of Act No. 109 of the 2015 Regular Session of the Legislature, relative to tax credits; to provide with respect to the individual income tax credit for taxes paid to other states; to eliminate the termination of limitations previously enacted; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 2—
BY SENATOR MORRELL

AN ACT

To enact R.S. 47:293(4)(d), relative to net disaster losses; to provide that the deduction from state income taxes for federal income tax shall not be reduced by the amount of certain federal net disaster losses; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 3—
BY SENATOR MORRELL

AN ACT

To amend and reenact Section 6 of Act No. 126 of the 2015 Regular Session of the Legislature and to repeal Section 3 of Act No. 126 of the 2015 Regular Session of the Legislature, relative to the three-year sunset of reductions to rebates in Act No. 126 of the 2015 Regular Session of the Legislature; to repeal the three-year sunset of reductions made in Act No. 126 of the 2015 Regular Session of the Legislature; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 4—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 51:2455(D)(3), relative to Quality Jobs incentive rebates; to change the application period for certain incentive rebates; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 5—
BY SENATOR HEWITT

AN ACT

To enact R.S. 46:460.53, relative to opportunities to promote work and community engagement among Medicaid recipients; to provide legislative findings and intent; to provide for an 1115 demonstration project; to provide for timelines; to provide for an effective date; and to provide for related matters.

The bill was read by title and referred by the President to the Committee on Health and Welfare.

Rules Suspended

Senator Erdey asked for and obtained a suspension of the rules to allow the Senate Committee on Revenue and Fiscal Affairs to meet without the required posted notice.

Introduction of
Senate Concurrent Resolutions

Senator Peacock 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 SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend and congratulate the administration, faculty, students, and alumni of University Elementary School on the occasion of its fiftieth anniversary.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Perry
Appel	Gatti	Peterson
Bishop	Hewitt	Price
Boudreaux	Johns	Riser
Carter	Lambert	Tarver
Colomb	Long	Thompson
Cortez	Luneau	Walsworth
Donahue	Mizell	Ward
Erdey	Peacock	White
Total - 27		

NAYS

Total - 0

ABSENT

Allain	LaFleur	Morrell
Barrow	Martiny	Morrish
Chabert	Milkovich	Smith, G.
Claitor	Mills	Smith, J.
Total - 12		

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

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend and congratulate the membership of the Shreveport Scottish Rite Valley upon the occasion of the one hundredth anniversary of the establishment of its Shreveport Scottish Rite Cathedral.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Peterson
Appel	Gatti	Price
Bishop	Hewitt	Riser
Boudreaux	Lambert	Tarver
Carter	Long	Thompson
Claitor	Luneau	Walsworth
Colomb	Mizell	Ward
Cortez	Morrish	White
Donahue	Peacock	
Erdey	Perry	
Total - 28		

NAYS

Total - 0

February 19, 2018

ABSENT

Allain	LaFleur	Morrell
Barrow	Martiny	Smith, G.
Chabert	Milkovich	Smith, J.
Johns	Mills	
Total - 11		

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

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Louisiana State University Shreveport (LSUS) upon the celebration of its golden anniversary and to extend congratulations to its student body, faculty, administration, and alumni for fifty years of academic excellence afforded to northwest Louisiana and the state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fannin	Perry
Appel	Gatti	Peterson
Bishop	Hewitt	Price
Boudreaux	Johns	Riser
Carter	Lambert	Tarver
Chabert	Long	Thompson
Colomb	Luneau	Walsworth
Cortez	Mills	Ward
Donahue	Mizell	
Erdey	Peacock	
Total - 28		

NAYS

Total - 0

ABSENT

Allain	Martiny	Smith, G.
Barrow	Milkovich	Smith, J.
Claitor	Morrell	White
LaFleur	Morrish	
Total - 11		

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

SENATE CONCURRENT RESOLUTION NO. 5—
BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Bossier Parish Community College on the occasion of its fiftieth anniversary and to extend congratulations to its student body, faculty, administration, prospective graduates, and alumni for fifty years of academic excellence and workforce opportunities afforded to northwest Louisiana and the state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mizell
Appel	Fannin	Peacock
Bishop	Gatti	Perry
Boudreaux	Hewitt	Price
Carter	Johns	Riser
Chabert	Lambert	Tarver
Claitor	Long	Thompson
Colomb	Luneau	Walsworth
Cortez	Martiny	Ward
Donahue	Mills	
Total - 29		

NAYS

Total - 0

ABSENT

Allain	Morrell	Smith, J.
Barrow	Morrish	White
LaFleur	Peterson	
Milkovich	Smith, G.	
Total - 10		

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

SENATE CONCURRENT RESOLUTION NO. 6—
BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Elaine M. "Shelly" Taylor of Shreveport, Louisiana, for an outstanding career as president and chief executive officer of the Louisiana Association for the Blind (LAB), for her many contributions made on behalf of the advancement of services for the visually impaired, and to congratulate her upon a well-deserved retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Erdey	Mizell
Appel	Fannin	Peacock
Bishop	Gatti	Perry
Boudreaux	Hewitt	Price
Carter	Johns	Riser
Chabert	Lambert	Tarver
Claitor	Long	Thompson
Colomb	Luneau	Walsworth
Cortez	Martiny	Ward
Donahue	Mills	
Total - 29		

NAYS

Total - 0

ABSENT

Allain	Morrell	Smith, J.
Barrow	Morrish	White
LaFleur	Peterson	
Milkovich	Smith, G.	
Total - 10		

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

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To congratulate the officers, physicians, and staff of the Highland Clinic on the occasion of its one hundredth anniversary and to commend them on the extraordinary level of medical care afforded to the Shreveport community.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total - 0

ABSENT

Barrow	Morrell	Smith, J.
LaFleur	Morrish	White
Milkovich	Peterson	
Total - 8		

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

Motion

Senator White 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 5:02 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 Colomb, Luneau, John Smith, Gatti, and Price.

On the part of the House: Representatives Jackson, Terry Brown, Gisclair, Hilferty, and Schexnayder.

Prayer

Prayer was offered by Reverend Brady Whitton, Senior Pastor of First United Methodist Church of 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.

Johnny Ballance 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	Morrish
Allain	Fannin	Peacock
Barrow	Gatti	Price
Bishop	Johns	Riser
Boudreaux	Lambert	Smith, G.
Carter	Long	Tarver
Chabert	Luneau	Thompson
Claitor	Martiny	Walsworth
Colomb	Milkovich	White
Cortez	Mizell	
Total - 29		

ABSENT

Appel	Mills	Smith, J.
Donahue	Morrell	Ward
Hewitt	Perry	
LaFleur	Peterson	
Total - 10		

The President of the Senate announced there were 29 Senators present and a quorum.

Senate Business Resumed After Joint Session

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

February 19, 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. 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.

SENATE CONCURRENT RESOLUTION NO. 2—

BY SENATOR PEACOCK AND REPRESENTATIVE CARMODY

A CONCURRENT RESOLUTION

To commend and congratulate the administration, faculty, students, and alumni of University Elementary School on the occasion of its fiftieth anniversary.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend and congratulate the membership of the Shreveport Scottish Rite Valley upon the occasion of the one hundredth anniversary of the establishment of its Shreveport Scottish Rite Cathedral.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 4—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Louisiana State University Shreveport (LSUS) upon the celebration of its golden anniversary and to extend congratulations to its student body, faculty, administration, and alumni for fifty years of academic excellence afforded to northwest Louisiana and the state.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Bossier Parish Community College on the occasion of its fiftieth anniversary and to extend congratulations to its student body, faculty, administration, prospective graduates, and alumni for fifty years of academic excellence and workforce opportunities afforded to northwest Louisiana and the state.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR PEACOCK

A CONCURRENT RESOLUTION

To commend Elaine M. "Shelly" Taylor of Shreveport, Louisiana, for an outstanding career as president and chief executive officer of the Louisiana Association for the Blind (LAB), for her many contributions made on behalf of the advancement of services for the visually impaired, and to congratulate her upon a well-deserved retirement.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATORS PEACOCK AND GATTI

A CONCURRENT RESOLUTION

To congratulate the officers, physicians, and staff of the Highland Clinic on the occasion of its one hundredth anniversary and to commend them on the extraordinary level of medical care afforded to the Shreveport community.

Reported without amendments.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

February 19, 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. 3

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To commend the Lafayette High School "Mighty Lion" Marching Band upon the momentous occasion of being selected to perform in the 92nd Annual Macy's Thanksgiving Day Parade in 2018.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEA, NAY. Lists names like Mr. President, Allain, Barrow, Bishop, Boudreaux, Carter, Chabert, Claitor, Colomb, Cortez, Erdey and their corresponding votes.

Total - 31

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, YEA, NAY. Lists names like Appel, Donahue, LaFleur and their corresponding votes.

Total - 8

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

ATTENDANCE ROLL CALL

PRESENT

Table with 3 columns: Name, YEA, NAY. Lists names like Mr. President, Allain, Appel and their corresponding votes.

Barrow	Johns	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Smith, J.
Carter	Luneau	Tarver
Chabert	Martiny	Thompson
Claitor	Milkovich	Walsworth
Colomb	Mills	Ward
Cortez	Mizell	White
Donahue	Morrish	
Erdey	Peacock	
Total - 37		

ABSENT

LaFleur	Morrell
Total - 2	

Leaves of Absence

The following leaves of absence were asked for and granted:

LaFleur	1 Day	Morrell	1 Day
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Announcements

The following committee meetings for February 20, 2018, were announced:

Revenue and Fiscal Affairs	2:30 P.M.	Hainkel Room
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Adjournment

On motion of Senator Thompson, at 6:00 o'clock P.M. the Senate adjourned until Tuesday, February 20, 2018, 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

