

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

FOURTH 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

Saturday, June 23, 2018

The Senate was called to order at 11:55 o'clock A.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	Hewitt	Peterson
Allain	Johns	Riser
Appel	LaFleur	Smith, G.
Barrow	Lambert	Smith, J.
Boudreaux	Long	Tarver
Carter	Luneau	Thompson
Chabert	Milkovich	Walsworth
Claitor	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Fannin	Peacock	
Total - 31		

ABSENT

Bishop	Gatti	Perry
Colomb	Martiny	Price
Cortez	Morrish	
Total - 8		

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

Prayer

The prayer was offered by Senator Dale Erdey, 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 Peacock, the reading of the Journal was dispensed with and the Journal of June 22, 2018, was adopted.

**Senate Resolutions on
Second Reading**

SENATE RESOLUTION NO. 18—
BY SENATOR CLAITOR

A RESOLUTION

To commend John Honeycutt of Baton Rouge, 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 in Chicago, Illinois.

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

SENATE RESOLUTION NO. 19—
BY SENATOR CLAITOR

A RESOLUTION

To commend Tucker Poret 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 in Chicago, Illinois.

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

SENATE RESOLUTION NO. 20—

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

A RESOLUTION

To commend LaPolitics Weekly and editor and publisher, Jeremy Alford, on twenty-five years of accurately and enjoyably reporting on the political news of Louisiana and sharing thought-provoking opinions relevant to that news.

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

SENATE RESOLUTION NO. 21—
BY SENATOR DONAHUE

A RESOLUTION

To commend Cameron Doyle for being selected to represent Louisiana at the 2018 Hugh O'Brian Youth (HOBY) Leadership Program World Leadership Congress (WLC).

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

SENATE RESOLUTION NO. 22—
BY SENATOR GARY SMITH

A RESOLUTION

To commend Mr. Juan A. Ramirez on the occasion of his ninety-eighth birthday to be celebrated on July 24, 2018, and to honor his lifetime of accomplishments.

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

**Senate Concurrent Resolutions on
Second Reading**

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATOR CLAITOR

A CONCURRENT RESOLUTION

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

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

June 23, 2018

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Hewitt Peacock
Allain Johns Riser
Barrow LaFleur Smith, G.
Boudreaux Lambert Smith, J.
Carter Long Tarver
Chabert Luneau Thompson
Claitor Milkovich Walsworth
Donahue Mills Ward
Erdey Mizell White
Fannin Morrell
Total - 29

NAYS

Total - 0

ABSENT

Appel Gatti Peterson
Bishop Martiny Price
Colomb Morrish
Cortez Perry
Total - 10

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Hewitt Riser
Allain Johns Smith, G.
Barrow Lambert Smith, J.
Boudreaux Long Tarver
Carter Luneau Thompson
Chabert Milkovich Walsworth
Claitor Mills Ward
Donahue Mizell White
Erdey Morrell
Fannin Peacock
Total - 28

NAYS

Total - 0

ABSENT

Appel Gatti Perry
Bishop LaFleur Peterson
Colomb Martiny Price
Cortez Morrish
Total - 11

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Eric LaFleur, Chairman on behalf of the Committee on Finance, submitted the following report:

June 23, 2018

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

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.

Reported with amendments.

Respectfully submitted, ERIC LAFLEUR Chairman

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 23, 2018

To the President and Members of the Senate:

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

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.

Reported favorably.

Respectfully submitted, JEAN-PAUL "JP" MORRELL Chairman

**House Bills and Joint Resolutions
on Second Reading
Just Reported by Committees**

Senator Morrell asked for and obtained a suspension of the rules to take up House Bills and Joint Resolutions just reported by Committees.

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.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1 by Representative Henry

AMENDMENT NO. 1

On page 1, line 11, change "this Section" to "this Subsection"

AMENDMENT NO. 2

On page 2, between lines 5 and 6, insert the following:
"Provided, however, that of the amount appropriated above to the Executive Department, the Department of Military Affairs and the Office of Elderly Affairs shall be fully restored first prior to any other budget unit within the Executive Department."

AMENDMENT NO. 3

On page 2, at the beginning of line 9, insert "operational expenditures and the"

AMENDMENT NO. 4

On page 3, between lines 26 and 27, insert the following:
"Payable out of the State General Fund (Direct) \$ 1,650,000"
to the Office of the Secretary for expenses

AMENDMENT NO. 5

On page 8, at the end of line 2, delete "\$20,279,928" and insert "\$18,629,928"

AMENDMENT NO. 6

On page 8, between lines 13 and 14, insert the following:
"B. Notwithstanding any provision of law to the contrary, this Subsection shall be effective only in the event the Fiscal Year 2018-2019 official forecast is increased by the Revenue Estimating Conference by an amount 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, including Subsection (A) of this Section. Such increases in revenues shall be utilized to fund the appropriations contained in this Subsection (B). In the event that sufficient revenues are not recognized to fully fund the appropriations in Subsection (B), the commissioner of administration shall recommend a plan for the funding of the appropriations contained below on a pro rata or prioritized basis subject to the approval or modification of the plan by the Joint Legislative Committee on the Budget.

SCHEDULE 01

EXECUTIVE DEPARTMENT

Payable out of State General Fund (Direct) to the Executive Department for restoration of funding \$ 2,000,000

Provided, however, that of the amount appropriated above to the Executive Department, the Department of Military Affairs and the Office of Elderly Affairs shall be fully restored first prior to any other budget unit within the Executive Department.

01-100 EXECUTIVE OFFICE

Payable out of State General Fund (Direct) to the Executive Office for restoration of funding \$ 343,000

SCHEDULE 04

ELECTED OFFICIALS

DEPARTMENT OF STATE

04-139 SECRETARY OF STATE

Payable out of the State General Fund (Direct) to the Department of State for restoration of funding \$ 500,000

Payable out of the State General Fund (Direct) to the Secretary of State for the Elections Program to restore step increases for Registrars of Voters \$ 110,206

DEPARTMENT OF JUSTICE

04-141 OFFICE OF THE ATTORNEY GENERAL

Payable out of the State General Fund (Direct) to the Office of the Attorney General to restore a five-percent reduction to expenses \$ 869,649

DEPARTMENT OF AGRICULTURE AND FORESTRY

04-160 AGRICULTURE AND FORESTRY

Payable out of the State General Fund (Direct) to the Department of Agriculture and Forestry for restoration of funding \$ 600,000

SCHEDULE 05

DEPARTMENT OF ECONOMIC DEVELOPMENT

Payable out of the State General Fund (Direct) to the Department of Economic Development for restoration of funding \$ 500,000

SCHEDULE 08

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

CORRECTIONS SERVICES

08-400 CORRECTIONS - ADMINISTRATION

Payable out of the State General Fund (Direct) to the Administration Program for personal services and acquisitions and major repairs \$ 12,290,000

YOUTH SERVICES

08-403 OFFICE OF JUVENILE JUSTICE

Payable out of the State General Fund (Direct) to the Administration Program for costs associated with the Raise the Age Initiative \$ 2,000,000

Payable out of the State General Fund (Direct) to the Administration Program for major repairs at Bridge City Center for Youth, Swanson Center for Youth, and Columbia Center for Youth \$ 800,000

June 23, 2018

Payable out of the State General Fund (Direct) to the Central/Southwest Region Program for operating expenses of the Acadiana Center for Youth \$ 12,000,000

SCHEDULE 11

DEPARTMENT OF NATURAL RESOURCES

Payable out of the State General Fund (Direct) to the Department of Natural Resources for restoration of funding \$ 500,000

11-432 OFFICE OF CONSERVATION

Payable out of the State General Fund (Direct) to the Oil and Gas Regulatory Program for the Legacy Site Remediation Program, including two (2) positions \$ 280,000

SCHEDULE 20

OTHER REQUIREMENTS

20-451 LOCAL HOUSING OF STATE ADULT OFFENDERS

Payable out of the State General Fund (Direct) to the Local Housing of State Adult Offenders Program \$ 10,506,197"

On motion of Senator LaFleur, the committee amendment was adopted. The amended bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title and referred to the Legislative Bureau.

Senate Resolutions on Second Reading Reported by Committees

SENATE RESOLUTION NO. 9—

BY SENATOR MORRELL

A RESOLUTION

To urge and request the governor of the state of Louisiana to recall any troops or other assets of the Louisiana National Guard from the United States-Mexico border until all children separated from their families at the border pursuant to the zero-tolerance memorandum are reunited with their families and the practice ceases of systematically separating children from their families on the sole ground that the parent or legal guardian is present in the United States in violation of federal immigration laws.

On motion of Senator Morrell the resolution was read by title and returned to the Calendar, subject to call.

Senate Concurrent Resolutions on Second Reading Reported by Committees

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATORS BISHOP, BARROW, CARTER AND MIZELL AND REPRESENTATIVE THOMAS

A CONCURRENT RESOLUTION

To establish and recognize the Louisiana Early Childhood Learning Caucus of the Legislature of Louisiana and to provide relative to the caucus.

The resolution was read by title and returned to the Calendar, subject to call.

Senate Concurrent Resolutions on Third Reading and Final Passage

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATORS PETERSON AND CARTER

A CONCURRENT RESOLUTION

To create and establish the Constitutional Convention Study Commission to undertake all necessary study to examine the feasibility and advisability of calling a convention to revise the Constitution of Louisiana and, if a convention is found to be feasible and advisable, to make recommendations to the legislature for calling such a convention, including a plan for the conduct of an effective constitutional convention.

The resolution was read by title and returned to the Calendar, subject to call.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATORS MORRELL AND ALARIO

A CONCURRENT RESOLUTION

To suspend from July 1, 2018, until sixty days after final adjournment of the 2019 Regular Session of the Legislature of Louisiana the provisions of R.S. 47:321.1(E), the sunset date as to the tax levied pursuant to R.S. 47:321.1.

The resolution was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

SENATE BILL NO. 1—

BY SENATOR MORRELL

AN ACT

To amend and reenact Section 2 of Act No. 5 of the 2018 Second Extraordinary Session of the Legislature and R.S. 47:339(A)(2), relative to sales and use tax; to provide with respect to collection and remittance of sales and use taxes; to provide for the effective date of the definition of dealer; and to provide for related matters.

The bill was read by title and returned to the Calendar, subject to call.

Privileged Report of the Legislative Bureau

June 23, 2018

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following instruments are approved as to construction and duplication.

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.

Reported without amendments.

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.

Reported without amendments.

Respectfully submitted,
DANIEL R. MARTINY
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Gary Smith, the Bills were read by title and passed to a third reading.

Rules Suspended

Senator Hewitt asked for and obtained a suspension of the rules to revert to the Morning Hour.

Introduction of Senate Resolutions

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.

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

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.

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

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Hewitt	Peterson
Allain	Johns	Riser
Appel	LaFleur	Smith, G.
Barrow	Lambert	Smith, J.
Boudreaux	Long	Tarver
Carter	Luneau	Thompson
Chabert	Milkovich	Walsworth
Claitor	Mills	Ward
Donahue	Mizell	White
Erdey	Morrell	
Fannin	Peacock	
Total - 31		

ABSENT

Bishop	Gatti	Perry
Colomb	Martiny	Price
Cortez	Morrish	
Total - 8		

ATTENDANCE ROLL CALL

Leaves of Absence

The following leaves of absence were asked for and granted:

Bishop	1 Day	Colomb	1 Day
Cortez	1 Day	Gatti	1 Day
Martiny	1 Day	Morrish	1 Day
Perry	1 Day	Price	1 Day

Adjournment

On motion of Senator Thompson, at 12:10 o'clock P.M. the Senate adjourned until Sunday, June 24, 2018, at 3:30 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

