

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

SEVENTH 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

Friday, March 2, 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:

PRESENT

Mr. President	Donahue	Peacock
Allain	Erdey	Price
Appel	Hewitt	Riser
Barrow	Long	Smith, G.
Bishop	Milkovich	Smith, J.
Boudreaux	Mills	Thompson
Claitor	Mizell	Walsworth
Cortez	Morrish	White
Total - 24		

ABSENT

Carter	Johns	Morrell
Chabert	LaFleur	Perry
Colomb	Lambert	Peterson
Fannin	Luneau	Tarver
Gatti	Martiny	Ward
Total - 15		

The President of the Senate announced there were 24 Senators present and a quorum.

Prayer

The prayer was offered by Senator Francis Thompson, 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 Donahue, the reading of the Journal was dispensed with and the Journal of March 1, 2018, was adopted.

Message from the House

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

March 1, 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 Bills and Joint Resolutions:

HB No. 27	HB No. 2	HB No. 10
HB No. 3		

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

House Bills and Joint Resolutions

Senator Thompson asked for and obtained a suspension of the rules to read House Bills and Joint Resolutions a first and second time by title and refer them to committee.

HOUSE BILL NO. 2—

BY REPRESENTATIVES BACALA, AMEDEE, BERTHELOT, TERRY BROWN, STEVE CARTER, CONNICK, CREWS, DEVILLIER, EDMONDS, EMERSON, FALCONER, FOIL, GAROFALO, GUINN, LANCE HARRIS, HAVARD, HENRY, HENSGENS, HODGES, HOFFMANN, HORTON, HOWARD, NANCY LANDRY, MCFARLAND, MIGUEZ, JAY MORRIS, JIM MORRIS, PEARSON, SCHEXNAYDER, SEABAUGH, STOKES, TALBOT, THOMAS, AND WRIGHT
AN ACT

To enact R.S. 24:513(P), R.S. 36:254(A)(6)(c) and (d), Subpart D-2 of Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:440.9.1 through 440.9.4, and R.S. 47:1508(B)(42) and (D), relative to Medicaid program integrity; to provide relative to the eligibility determination functions of the Louisiana Medicaid program; to provide for duties of the secretary of the Louisiana Department of Health in administering the Medicaid program; to authorize the Louisiana Department of Revenue to share state income tax return data with the Louisiana Department of Health and the legislative auditor for certain limited purposes; to require the Louisiana Department of Health to utilize such data in the Medicaid eligibility determination process; to authorize the legislative auditor to utilize such data for purposes of Medicaid fraud detection and prevention; to provide for interagency agreements relative to sharing of data; to provide for implementation of certain functions prescribed by the Medical Assistance Programs Integrity Law; and to provide for related matters.

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

HOUSE BILL NO. 3—

BY REPRESENTATIVE HOFFMANN
AN ACT

To enact Part XIV of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:460.101 through 460.107, relative to the medical assistance program of this state known as Medicaid; to establish a work and community engagement initiative within the state Medicaid program; to provide for applicability of and exemptions from Medicaid work and community engagement requirements; to provide for duties of the secretary of the Louisiana Department of Health in administering the Medicaid work and community engagement

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initiative; to require submission to the federal Medicaid agency of an application to administer the initiative; to provide for administrative rulemaking; and to provide for related matters.

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

HOUSE BILL NO. 10—

BY REPRESENTATIVE JAMES

AN ACT

To enact R.S. 47:293(4)(d), relative to individual income tax; to define federal income tax liability for purposes of calculating individual income tax liability; to require certain federal disaster losses to be included in the calculation of federal income tax liability; to provide for applicability; 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.

HOUSE BILL NO. 27—

BY REPRESENTATIVE SMITH

AN ACT

To amend and reenact R.S. 47:1061(A)(1), relative to telecommunication taxes; to provide with respect to the rate of the tax levied on certain telecommunications devices and services; 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.

House Bills and Joint Resolutions on Second Reading

HOUSE BILL NO. 12—

BY REPRESENTATIVES BARRAS AND JIM MORRIS

AN ACT

To amend and reenact R.S. 39:33.1(A) through (C) and 52.1 and to repeal R.S. 39:94(A)(1), relative to the expenditure limit; to provide for submission of the expenditure limit to the legislature; to cap the annual growth of the expenditure limit; to provide for the calculation of the growth factor; to change the uses of money in excess of the expenditure limit; to provide for the contents of the expenditure limit calculation; to provide for changing the expenditure limit; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 29—

BY REPRESENTATIVES BARRAS, ABRAMSON, AMEDEE, ARMES, BACALA, BAGLEY, BAGNERIS, BERTHELOT, BILLIOT, BISHOP, BOUIE, BRASS, BROADWATER, TERRY BROWN, CARMODY, CARPENTER, GARY CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, CROMER, DAVIS, DEVILLIER, EDMONDS, EMERSON, FALCONER, FOIL, GAROFALO, GISCLAIR, GLOVER, GUINN, HALL, LANCE HARRIS, HAVARD, HAZEL, HENRY, HENSGENS, HILFERTY, HILL, HODGES, HOFFMANN, HORTON, HOWARD, HUVAL, IVEY, JACKSON, JAMES, JORDAN, NANCY LANDRY, LEBAS, LEOPOLD, MACK, MAGEE, MARCELLE, MARINO, MCFARLAND, MIGUEZ, GREGORY MILLER, JAY MORRIS, JIM MORRIS, NORTON, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SEABAUGH, SHADOIN, SIMON, SMITH, STAGNI, STOKES, TALBOT, THOMAS, WHITE, WRIGHT, AND ZERINGUE

AN ACT

To amend and reenact R.S. 39:6(C) and to enact Subpart F of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:89.1 through 89.3, relative to state expenditure reporting; to provide for the duties of the commissioner; to provide for the establishment and maintenance of the Louisiana Checkbook as a government fiscal transparency website; to provide for the information to be included on the website; to provide for implementation; 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 Finance.

House Concurrent Resolutions on Second Reading

HOUSE CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVE BARRAS

A CONCURRENT RESOLUTION

To direct the commissioner of administration to change the expenditure limit for Fiscal Year 2018-2019.

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

SENATE BILL NO. 8—

BY SENATOR WARD

AN ACT

To enact Subpart D of Part I of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:16.1 through 16.11, and to repeal R.S. 39:6(C), relative to the State's fiscal transparency website; to provide for the statewide implementation of the enterprise resource planning system; to provide the duties of the commissioner of administration relative to the information to be accessible on the fiscal transparency website; to provide definitions; to provide for the information to be included on the website; to provide for links to the websites of state agencies, the legislature, and the legislative auditor; to provide relative to the reporting of contracts, expenditures, and incentive expenditures; to provide relative to reporting by the state retirement systems and the state treasurer; to provide for reports and audits to be published on the website; to provide for free public use of the website; to provide for an employment and salary database; to provide for the information which shall be excluded from the website; to provide relative to a schedule for the completion and maintenance of the website; to provide for the reporting of the use of state funds by the recipient of state funds; to provide for audits; 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 Original Senate Bill No. 8 by Senator Ward

AMENDMENT NO. 1

On page 1, line 8, after "website;" and before "to provide" insert "to provide for the appropriation acts for the executive, judicial, and legislative branches of government to be included on the website;"

AMENDMENT NO. 2

On page 3, line 4, change "executive" to "executive, judicial,"

AMENDMENT NO. 3

On page 3, between lines 11 and 12, insert:

(3) Revenue sharing and aid to other levels of government.

AMENDMENT NO. 4

On page 3, line 12, change "(3)" to "(4)"

AMENDMENT NO. 5

On page 3, line 13, change "(4)" to "(5)"

AMENDMENT NO. 6

On page 3, line 14, change "(5)" to "(6)"

AMENDMENT NO. 7

On page 3, line 16, change "(6)" to "(7)"

AMENDMENT NO. 8

On page 3, line 17, change "(7)" to "(8)"

AMENDMENT NO. 9

On page 3, line 18, change "(8)" to "(9)"

AMENDMENT NO. 10

On page 3, between lines 19 and 20, insert the following:

"(10) Mandated interagency transfers, such as fees to the legislative auditor, fees to the treasurer, annual payments to the office of risk management, and contributions to retirement systems and benefit plans.

"(11) The website shall include a boards and commissions database that contains membership information, employee information, and financial and budget information required by R.S. 49:1302 and R.S. 24:513.2."

AMENDMENT NO. 11

On page 4, line 10, change "credit cards" to "credit, debit, or other purchase cards."

AMENDMENT NO. 12

On page 5, between lines 25 and 26, and insert the following:

"D.(1) For all state contracts, the contractor shall, on January 15 and July 15 of each year, file a report with the division of administration that includes information for each subcontract used to fulfill the contract. The information required by Subparagraphs (a) through (f) of this Paragraph shall be made available on the website. The information required by Subparagraph (g) of this Paragraph shall not be made public but may be forwarded to the Department of Revenue.

"(2) The report shall include the following information for each subcontractor, including independent contractors:

(a) The name of the subcontractor.

(b) The city and state in which the subcontractor is located.

(c) The amount of payments made to the subcontractor during the reporting period.

(d) A description of the product or service provided by the subcontractor.

(e) The number and classification of employees and independent contractors of the subcontractor.

(f) An affirmative statement of whether or not the subcontractor is a related party to the contractor.

(g) The mailing address and taxpayer identification number of the subcontractor.

AMENDMENT NO. 13

On page 7, line 1, change "department" to "plan"

AMENDMENT NO. 14

On page 8, line 11, after "access to" delete the remainder of the line, delete line 12, and insert: "a dedicated funds database, including an electronic database of reports supported by appropriations from dedicated funds required by R.S. 49:308.8(E)."

AMENDMENT NO. 15

On page 8, line 19, after "2021." insert "The commissioner, subject to legislative appropriation, shall take all necessary steps to finalize the website immediately after full implementation of LaGov."

AMENDMENT NO. 16

On page 9, line 24, change "Louisiana Checkbook" to "website"

AMENDMENT NO. 17

On page 10, delete line 3, and insert the following: "including overtime, stipends, and allowances, but excluding employee benefit payments and nontaxable employee reimbursements."

AMENDMENT NO. 18

On page 10, line 8, change "Louisiana Checkbook" to "website"

AMENDMENT NO. 19

On page 12, line 3, after "finding" and before "noncompliance" insert "of"

On motion of Senator Allain, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and passed to a third reading.

Recess

On motion of Senator Thompson, the Senate took a recess at 4:00 o'clock P.M. until 5:00 o'clock P.M.

After Recess

The Senate was called to order at 5:45 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	LaFleur	Price
Appel	Long	Riser
Boudreaux	Milkovich	Smith, G.
Chabert	Mills	Smith, J.
Claitor	Mizell	Thompson
Cortez	Morrell	Walsworth
Donahue	Morrish	White
Erdey	Peacock	
Total - 23		

ABSENT

Allain	Gatti	Perry
Barrow	Hewitt	Peterson
Bishop	Johns	Tarver
Carter	Lambert	Ward
Colomb	Luneau	
Fannin	Martiny	
Total - 16		

The President of the Senate announced there were 23 Senators present and a quorum.

Senate Business Resumed After Recess

Introduction of Senate Resolutions

SENATE RESOLUTION NO. 8—

BY SENATOR PETERSON

A RESOLUTION

To commend the "Geaux for the Gold With Purpose" campaign at Loyola University for working to ensure that children with pediatric cancer have access to safe and effective treatment options.

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

ATTENDANCE ROLL CALL

PRESENT

Mr. President	Donahue	Morrish
Allain	Erdey	Peacock
Appel	Hewitt	Price
Barrow	LaFleur	Riser
Bishop	Long	Smith, G.
Boudreaux	Milkovich	Smith, J.
Chabert	Mills	Thompson

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Claitor	Mizell	Walsworth
Cortez	Morrell	White
Total - 27		

ABSENT

Carter	Johns	Perry
Colomb	Lambert	Peterson
Fannin	Luneau	Tarver
Gatti	Martiny	Ward
Total - 12		

Leaves of Absence

The following leaves of absence were asked for and granted:

Carter	1 Day	Colomb	1 Day
Fannin	1 Day	Gatti	1 Day
Johns	1 Day	Lambert	1 Day
Luneau	1 Day	Martiny	1 Day
Perry	1 Day	Peterson	1 Day
Tarver	1 Day	Ward	1 Day

Announcements

The following committee meetings for March 4, 2018, were announced:

Finance	4:00 P.M.	Room A
Revenue and Fiscal Affairs	4:00 P.M.	Hainkel Room

Adjournment

On motion of Senator Thompson, at 5:50 o'clock P.M. the Senate adjourned until Sunday, March 4, 2018, at 7:30 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