

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

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**THIRD DAY'S PROCEEDINGS**

**Thirty-Ninth Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Tuesday, February 16, 2016

The Senate was called to order at 5:05 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	Mizell
Allain	Gatti	Morrell
Appel	Hewitt	Morrish
Barrow	Johns	Peacock
Boudreaux	LaFleur	Perry
Brown	Lambert	Smith, G.
Carter	Long	Smith, J.
Chabert	Luneau	Tarver
Claitor	Martiny	Thompson
Cortez	Milkovich	Walsworth
Erdey	Mills	Ward
Total - 33		

**ABSENT**

Bishop	Donahue	Riser
Colomb	Peterson	White
Total - 6		

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

**Prayer**

The prayer was offered by Senator Regina Barrow, 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 Gatti, the reading of the Journal was dispensed with and the Journal of February 15, 2016, was adopted.

**Introduction of  
Senate Concurrent Resolutions**

**SENATE CONCURRENT RESOLUTION NO. 3—**

BY SENATOR GATTI

**A CONCURRENT RESOLUTION**

To commend and recognize the Steve Hoyle Intensive Substance Abuse Program for its success in shortening the sentences of certain offenders, while better preparing those offenders to reintegrate into their families and communities without a return to substance abuse and incarceration.

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

**Senate Resolutions on  
Second Reading**

**SENATE RESOLUTION NO. 4—**

BY SENATOR BROWN

**A RESOLUTION**

To commend Zenobia Bougere Kinsey on the occasion of her eightieth birthday.

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

**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:

February 16, 2016

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 2—**

BY SENATORS MORRELL, ALARIO AND LAFLEUR

**A CONCURRENT RESOLUTION**

To make available for appropriation from the Budget Stabilization Fund the sum of \$128,459,663.85 not to exceed one-third of the balance of the Budget Stabilization Fund as of the beginning of Fiscal Year 2015-2016, due to the second reduction of the revenue forecast for the current fiscal year in the amount of \$577,300,000 as adopted by the Revenue Estimating Conference at its meeting on February 10, 2016, and as recognized by the Joint Legislative Committee on the Budget at its meeting on February 13, 2016.

Reported with amendments.

**SENATE BILL NO. 1—**

BY SENATOR MARTINY

**AN ACT**

To amend and reenact R.S. 51:2365.1(A)(5), relative to the definition of a qualified event or qualified major event for purposes of the Major Events Incentive Program; to include a college tournament or championship in the definition of a qualified event or qualified major event; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 4—**

BY SENATORS LAFLEUR AND ALARIO

**AN ACT**

To amend and reenact R.S. 39:94(A) and the introductory paragraph of (B), relative to the deposit of certain funds into the state general fund; to provide for the deposit of certain economic damages payments received by the state pursuant to the settlement of the Deepwater Horizon litigation; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ERIC LAFLEUR  
Chairman

Senate Concurrent Resolutions on Second Reading Just Reported by Committees

Senator LaFleur asked for and obtained a suspension of the rules to take up Senate Concurrent Resolutions just reported by Committees.

SENATE CONCURRENT RESOLUTION NO. 2— BY SENATORS MORRELL, ALARIO AND LAFLEUR A CONCURRENT RESOLUTION

To make available for appropriation from the Budget Stabilization Fund the sum of \$128,459,663.85 not to exceed one-third of the balance of the Budget Stabilization Fund as of the beginning of Fiscal Year 2015-2016, due to the second reduction of the revenue forecast for the current fiscal year in the amount of \$577,300,000 as adopted by the Revenue Estimating Conference at its meeting on February 10, 2016, and as recognized by the Joint Legislative Committee on the Budget at its meeting on February 13, 2016.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Concurrent Resolution No. 2 by Senator Morrell

AMENDMENT NO. 1 On page 1, line 5, change "\$577,300,000" to "\$570.1 million"

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

Senate Bills and Joint Resolutions on Second Reading Just Reported by Committees

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

SENATE BILL NO. 1— BY SENATORS MARTINY AND BISHOP AN ACT

To amend and reenact R.S. 51:2365.1(A)(5), relative to the definition of a qualified event or qualified major event for purposes of the Major Events Incentive Program; to include a college tournament or championship in the definition of a qualified event or qualified major event; 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. 1 by Senator Martiny

AMENDMENT NO. 1 On page 1, line 2, change "51:2365.1(A)(5)," to "51:2365.1(A)(5) and (7)(a)," and on line 8, after "51:2365.1," add "(A)(5) and (7)(a)"

AMENDMENT NO. 2 On page 2, between lines 15 and 16, insert the following: "(7) 'Site selection organization' means any of the following: (a) The National Football League, the National Collegiate Athletic Association or any affiliated conference, the National Basketball Association, the International World Games Association, or the United States Olympic Committee.

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

SENATE BILL NO. 4— BY SENATORS LAFLEUR AND ALARIO AN ACT

To amend and reenact R.S. 39:94(A) and the introductory paragraph of (B), relative to the deposit of certain funds into the state general fund; to provide for the deposit of certain economic damages payments received by the state pursuant to the settlement of the Deepwater Horizon litigation; 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. 4 by Senator LaFleur

AMENDMENT NO. 1 On page 1, line 2, change "39:94(A) and the introductory paragraph of (B)" to "39:91(A), the introductory paragraph of (B), and (D), and to enact R.S. 39:91(E),"

AMENDMENT NO. 2 On page 1, line 8, after "R.S.," delete the remainder of the line and line 9 and insert "39:91(A), the introductory paragraph of (B), and (D) are hereby amended and reenacted and R.S. 39:91(E) is hereby enacted to read as follows:"

AMENDMENT NO. 3 On page 1, delete lines 15 and 16, and insert the following: "in and credit to the Deepwater Horizon Economic Damages Collection Fund Fiscal Year 2015-2016 Deficit Elimination Fund as created in Subsection D of this Section, the first two hundred million dollars of the proceeds of the settlement, judgment, or final disposition of the"

AMENDMENT NO. 4 On page 2, delete lines 4 through 8, and insert "in the Gulf of Mexico."

AMENDMENT NO. 5 On page 2, delete line 9 through 11, and insert the following: "B. Within thirty days of each receipt of economic damages proceeds from the DWH litigation, the treasurer shall make the following deposits: All economic damages proceeds from the DWH litigation in excess of the first two hundred million dollars deposited in the Fiscal Year 2015-2016 Deficit Elimination Fund shall be deposited by the treasurer as follows:"

AMENDMENT NO. 6 On page 2, between lines 12 and 13, insert the following: "D.(1) The Fiscal Year 2015-2016 Deficit Elimination Fund, hereinafter referred to as the "fund", is hereby created in the state treasury. After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in and credit to the Fiscal Year 2015-2016 Deficit Elimination Fund the first two hundred million dollars of the proceeds of the settlement, judgment, or final disposition of the state's economic damages claims asserted in State of Louisiana v. BP Exploration & Production, et al., MDL NO. 2179 (E.D.LA. pending) (hereinafter "DWH litigation") to recover economic damages sustained by the state from the Deepwater Horizon explosion and oil spill that occurred on or about April 20, 2010, at the MC 252 site in the Gulf of Mexico.

(2) All unexpended and unencumbered monies in the Fiscal Year 2015-2016 Deficit Elimination Fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of monies shall be credited to the fund.

**(3) Monies in the fund shall be appropriated and used solely to provide a source of funds to eliminate all or a portion of the Fiscal Year 2015-2016 budgetary deficit.**

**E.** This Subpart shall be null, void, and of no effect at the later of the conclusion of the DWH litigation or July 1, 2024."

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

**Rules Suspended**

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

**Introduction of Senate Bills and Joint Resolutions**

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

**SENATE BILL NO. 6—**  
BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:6006(A), (B), and (D), 6006.1(A) and (E), and 6014(A), and to repeal R.S. 47:6006.1(C) and 6014(D) and (E), relative to income and corporation franchise tax credits; to provide with respect to tax credits for ad valorem taxes paid on inventory, certain offshore vessels, and certain telephone company public service properties; to reduce the amount of the tax credits; to provide with respect to the issuance of refunds for tax credits which exceed taxpayer liability; to repeal the statutory dedication of the avails of sales and use tax from telecommunications 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.

**SENATE BILL NO. 7—**  
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 47:6020(B)(1) and (D)(1), to enact R.S. 47:6020(G), and to repeal R.S. 47:6020(D)(1) and (2)(a) as amended by Acts 2015, No. 125, Section 5, relative to income and corporation tax credits; to reduce the amount of the Angel Investor Tax Credits that can be granted annually; to provide a baseline amount of credits that may be claimed in a fiscal year; to provide a termination date for the credit; 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. 8—**  
BY SENATOR DONAHUE

AN ACT

To amend and reenact R.S. 47:181(B) and 287.86(B), relative to the deduction for net operating losses; to limit the carryforward period for estates, trusts and corporations; 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. 9—**  
BY SENATOR DONAHUE

AN ACT

To enact R.S. 39:82.1, relative to special treasury funds and dedicated money; to provide for specific reports to the Joint Legislative Committee on the Budget; to provide for the review and reporting of special funds and statutory dedications, including the means of financing, specifically funds whose primary source of financing is the state general fund, the

purpose and use of the monies, and the status and balances of the special funds and dedicated monies; and to provide for related matters.

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

**SENATE BILL NO. 10—**  
BY SENATOR DONAHUE

AN ACT

To enact R.S. 51:1787(K) and 1792, relative to incentive credits and rebates; to provide for a baseline limit on the payment of certain incentive rebates and the use of certain incentive tax credits in a fiscal year; to provide a termination date for entering into Enterprise Zone Program contracts; 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. 11—**  
BY SENATOR DONAHUE

AN ACT

To amend and reenact the introductory paragraphs of R.S. 47:6034(C), (C)(1) and (E), R.S. 47:6034(C)(1)(a)(ii)(aa), (bb) and (4), (D)(1), and (K), to enact R.S. 47:6034(L), and to repeal R.S. 47:6034(C)(1)(a)(ii)(bb) as amended by Acts 2015, No. 125, Section 5, relative to income tax credits; to provide a baseline amount of credits that may be claimed in a fiscal year; to provide a termination date for the credit; 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.

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

February 16, 2016

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 Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 1—**  
BY REPRESENTATIVE HOFFMANN AND SENATORS FANNIN, RISER, AND WALSWORTH

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Wojciech Antoni "Al" Krotoski, M.D., Ph.D., M.P.H.

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 Concurrent Resolutions contained herein were signed by the President of the Senate.

**ATTENDANCE ROLL CALL**

PRESENT

Mr. President	Erdey	Morrell
Allain	Fannin	Morrish
Appel	Gatti	Peacock
Barrow	Hewitt	Perry
Bishop	Johns	Riser
Boudreaux	LaFleur	Smith, G.
Brown	Lambert	Smith, J.

February 16, 2016

Carter  
Chabert  
Claitor  
Colomb  
Cortez  
Donahue  
Total - 38

Long  
Luneau  
Martiny  
Milkovich  
Mills  
Mizell

Tarver  
Thompson  
Walsworth  
Ward  
White

ABSENT

Peterson  
Total - 1

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Peterson            1 Day

**Announcements**

The following committee meetings for February 17, 2016, were announced:

Finance	1:00 P.M.	Room A
Retirement	2:00 P.M.	Room E

**Adjournment**

On motion of Senator Thompson, at 5:30 o'clock P.M. the Senate adjourned until Wednesday, February 17, 2016, at 10:00 o'clock A.M.

The President of the Senate declared the Senate adjourned.

GLENN A. KOEPP  
Secretary of the Senate

DIANE O' QUIN  
Journal Clerk