

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
FIRST DAY'S PROCEEDINGS

**Fortieth Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, June 6, 2016

The Senate was called to order at 6:30 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	Peterson
Allain	Hewitt	Riser
Appel	Lambert	Smith, G.
Barrow	Long	Smith, J.
Bishop	Martiny	Tarver
Boudreaux	Milkovich	Thompson
Brown	Mills	Walsworth
Carter	Mizell	Ward
Colomb	Peacock	White
Total - 27		

ABSENT

Chabert	Erdey	Luneau
Claitor	Gatti	Morrell
Cortez	Johns	Morrish
Donahue	LaFleur	Perry
Total - 12		

The President of the Senate announced there were 27 Senators present and a quorum.

Prayer

The prayer was offered by Senator Long, following which the Senate joined in the Pledge of Allegiance to the flag of the United States of America.

Messages from the Office of the Governor

The following messages from the Office of the Governor were received and read as follows:

**STATE OF LOUISIANA
OFFICE OF THE GOVERNOR
BATON ROUGE, LOUISIANA**

PROCLAMATION NO. 70 JBE 2016

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 eighteen calendar days, beginning at 6:30 o'clock p.m. on the 6th day of June 2016, and ending no later than the 23rd day of June, 2016. 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 to provide for making supplemental appropriations for the ordinary operating expenses of state government for the Fiscal Year 2016-2017.
- ITEM NO. 2: To legislate to provide for making appropriations for the ordinary operating expenses of state government for the Fiscal Year 2016-2017.
- ITEM NO. 3: To legislate with regard to the capital outlay budget and the capital outlay program for the Fiscal Year 2016-2017.
- ITEM NO. 4: To legislate with regard to the Omnibus Bond Authorization Act of 2016.
- ITEM NO. 5: To legislate with regard to La. R.S. 22:270 and La. R.S. 22:842 relative to health maintenance organizations and health insurance issuers.
- ITEM NO. 6: To legislate with regard to La. R.S. 22:832 relative to health maintenance organizations and health insurance issuers.
- ITEM NO. 7: To legislate with regard to admissions to athletic and entertainment events for elementary and secondary schools.
- ITEM NO. 8: To legislate with regard to food sales by youth serving organizations.
- ITEM NO. 9: To legislate with regard to sales or leases to Boys State of Louisiana, Inc. and Girls State of Louisiana, Inc.
- ITEM NO. 10: To legislate with regard to sales and donations to food banks.
- ITEM NO. 11: To legislate with regard to room rentals at camp and retreat facilities owned by nonprofit organizations.
- ITEM NO. 12: To legislate with regard to room rentals at certain homeless shelters.
- ITEM NO. 13: To legislate with regard to sales, lease, rental and use of educational materials and equipment used for classroom instruction by parochial and private elementary and secondary schools which comply with the court order from the Dodd Brumfield decision and Section 501(c)(3) of the Internal Revenue Code.
- ITEM NO. 14: To legislate with regard to sales by parochial and private elementary and secondary schools which comply with the court order from the Dodd Brumfield decision and Section 501(c)(3) of the Internal Revenue Code.
- ITEM NO. 15: To legislate with regard to sales by nonprofit entities that sell donated goods and spend seventy-five percent or more of the revenue on directly employing or training persons with disabilities.
- ITEM NO. 16: To legislate with regard to isolated or occasional sales.
- ITEM NO. 17: To legislate with regard to purchases, leases or rentals of fire-fighting equipment by volunteer fire departments.
- ITEM NO. 18: To legislate with regard to purchases, leases and rentals by hospitals that provide free care to all patients.

- ITEM NO. 19: To legislate with regard to membership fees or dues of nonprofit, civic associations.
- ITEM NO. 20: To legislate with regard to admissions to entertainment events sponsored by domestic nonprofit charitable, religious, and educational organizations.
- ITEM NO. 21: To legislate with regard to admissions to entertainment events by Little Theater organizations.
- ITEM NO. 22: To legislate with regard to admissions to musical performances by nonprofit musical organizations.
- ITEM NO. 23: To legislate with regard to admissions and parking fees at fairs and festivals sponsored by nonprofit organizations.
- ITEM NO. 24: To legislate with regard to admissions, parking fees and sales of tangible personal property at events sponsored by domestic, civic, educational, historical, charitable, fraternal or religious organizations which are nonprofit.
- ITEM NO. 25: To legislate with regard to sales of human transplants.
- ITEM NO. 26: To legislate with regard to materials used directly in the collection of blood.
- ITEM NO. 27: To legislate with regard to sales of apheresis kits and Leuko reduction filters.
- ITEM NO. 28: To legislate with regard to sales of orthotic devices, prosthetic devices and wheelchairs prescribed by physicians, optometrists or licensed chiropractors for personal use.
- ITEM NO. 29: To legislate with regard to sales of ostomy, colostomy, ileostomy devices and equipment.
- ITEM NO. 30: To legislate with regard to sales of adaptive driving equipment and motor vehicle modifications prescribed for personal use.
- ITEM NO. 31: To legislate with regard to sales or rentals of kidney dialysis machines, parts, materials and supplies for home use under a physician's prescription.
- ITEM NO. 32: To legislate with regard to sales of meals by educational institutions, medical facilities, mental institutions, and occasional meals furnished by educational, religious or medical organizations.
- ITEM NO. 33: To legislate with regard to purchases of fishing boats, supplies, fuels, lubricants and repairs for the boats of licensed commercial fisherman.
- ITEM NO. 34: To legislate with regard to sales of butane, propane, or other liquified petroleum gases for private, residential consumption.
- ITEM NO. 35: To amend and reenact La. R.S. 39:467 and La. R.S. 39:468 with regard to publicly owned facilities.
- ITEM NO. 36: To legislate with regard to Act 125 of the 2015 Regular Session.
- ITEM NO. 37: To legislate with regard to Act 123 of the 2015 Regular Session.
- ITEM NO. 38: To legislate with regard to Act 8 of the 2016 First Extraordinary Session.

- ITEM NO. 39: To legislate with regard to Act 31 of the 2016 First Extraordinary Session.
- ITEM NO. 40: To legislate with regard to Act 30 of the 2016 First Extraordinary Session.
- ITEM NO. 41: To legislate with regard to the deductibility of net capital gains in computing state income taxes.
- ITEM NO. 42: To legislate with regard to the deductibility of excess federal itemized personal deductions in computing state income taxes.
- ITEM NO. 43: To legislate with regard to the rates and brackets for state income tax.
- ITEM NO. 44: To legislate with regard to the apportionment percentage and foreign trade zones under the Louisiana corporation income and Louisiana corporation franchise taxes.
- ITEM NO. 45: To legislate with regard to the interest paid on refunds of tax overpayments.
- ITEM NO. 46: To legislate with regard to the tax credit for the Louisiana Citizens Property Insurance Corporation 2005 regular assessment.
- ITEM NO. 47: To legislate with regard to tax credits eligible to be refunded from current collections of the tax.
- ITEM NO. 48: To legislate with regard to sales of items of tangible personal property for further processing.

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 27th day of May, 2016.

JOHN BEL EDWARDS
Governor of Louisiana

**ATTEST BY
THE GOVERNOR**

TOM SCHEDLER
Secretary of State

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 Peacock,
- Perry,
- Walsworth,
- Mills and
- White.

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 Mizell,
- Cortez,
- Erdey,
- Lambert and
- Johns.

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 Bell 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

Mr. President	Fannin	Peacock
Allain	Hewitt	Perry
Appel	Johns	Peterson
Barrow	LaFleur	Riser
Bishop	Lambert	Smith, G.
Boudreaux	Long	Smith, J.
Brown	Luneau	Tarver
Carter	Martiny	Thompson
Chabert	Milkovich	Walsworth
Claitor	Mills	Ward
Colomb	Mizell	White
Cortez	Morrell	
Erdey	Morrish	
Total - 37		

NAYS

Total - 0

ABSENT

Donahue Gatti
Total - 2

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

Introduction of Senate Bills and Joint Resolutions

SENATE BILL NO. 1—

BY SENATOR GATTI

AN ACT

To amend and reenact the introductory paragraph of R.S. 47:302(X) and the introductory paragraph of R.S. 47:321.1(F), and to enact R.S. 47:302(AA) and 321.1(I), relative to state sales and use tax; to provide with respect to the sales tax exemption for admissions to athletic and entertainment events for elementary and secondary schools; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 2—

BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 47:115(A)(3) and (C) and 1624 and to repeal R.S. 47:287.657, 617, and 1624.1, relative to interest on refunds of tax overpayments; to provide relative to netting of corporate income and franchise tax for purposes of interest computation; to provide relative to interest on certain severance tax overpayments; and to provide for related matters.

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

SENATE BILL NO. 3—

BY SENATOR MORRELL

AN ACT

To amend and reenact the introductory paragraph of R.S. 47:302(X), and the introductory paragraph of R.S. 47:321.1(F), and to enact R.S. 47:302(AA) and 321.1(I), relative to state sales and use tax; to restore certain exemptions applicable to state sales tax; to provide for an effective date; and to provide for related matters.

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

June 6, 2016

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

To amend and reenact the introductory paragraph of R.S. 47:302(X) and the introductory paragraph of R.S. 47:321.1(F), and to enact R.S. 47:302(AA) and 321.1(I), relative to state sales and use tax; to provide with respect to the sales tax exemption for purchases of fishing vessels, supplies, fuels, lubricants, and repair services by a licensed commercial fisherman; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 5—
BY SENATOR CHABERT
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:302(X) and the introductory paragraph of R.S. 47:321.1(F), and to enact R.S. 47:302(AA) and 321.1(I), relative to state sales and use tax; to provide with respect to the sales tax exemption for sales of butane, propane, or other liquified petroleum gases for private, residential consumption; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 6—
BY SENATOR MORRELL
AN ACT

To amend and reenact R.S. 47:6006(B), relative to refundable tax credits; to limit the refundability of the tax credit for ad valorem taxes paid on certain inventory; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 7—
BY SENATOR MORRELL
AN ACT

To amend and reenact R.S. 47:297.8(A), relative to refundable tax credits; to increase the earned income tax credit; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 8—
BY SENATOR MORRELL
AN ACT

To enact R.S. 47:6025(A)(4), relative to the tax credit for Louisiana Citizens Property Insurance Corporation assessment; to provide for the operability of the credit; to provide for effectiveness; and to provide for related matters.

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

SENATE BILL NO. 9—
BY SENATOR MORRELL
AN ACT

To amend and reenact the introductory paragraph of R.S. 47:301 and R.S. 47:301(10)(c)(ii)(bb), relative to sales and use tax; to provide for a definition of isolated and occasional sales; to provide for an effective date; and to provide for related matters.

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

ATTENDANCE ROLL CALL

PRESENT

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

Total - 39

ABSENT

Total - 0

Announcements

The following committee meetings for June 13, 2016, were announced:

Revenue and Fiscal Affairs 10:00 A.M. Hainkel Room

Adjournment

On motion of Senator LaFleur, at 6:35 o'clock P.M. the Senate adjourned until Tuesday, June 7, 2016, at 9:30 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