

## **HOUSE COMMITTEE ON WAYS AND MEANS**

Minutes of Meeting  
2012 Regular Session  
Tuesday, March 13, 2012

### **I. CALL TO ORDER**

Representative Joel C. Robideaux, chairman of the House Committee on Ways and Means, called the meeting to order at 10:11 a.m. in House Committee Room 6 of the State Capitol, Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **Members Present:**

Representative Joel C. Robideaux, Chairman  
Representative Patrick C. Williams, Vice Chairman  
Representative Bryan Adams  
Representative Taylor F. Barras  
Representative Regina Ashford Barrow  
Representative Wesley T. Bishop  
Representative Christopher Broadwater  
Representative Richard T. Burford  
Representative Michael E. Danahay  
Representative Mickey J. Guillory  
Representative Lowell C. Hazel  
Representative Frank A. Hoffmann  
Representative Robert A. Johnson  
Representative Eddie J. Lambert  
Representative Nick Lorusso  
Representative Harold L. Ritchie  
Representative Major Thibaut  
Representative Lenar L. Whitney  
Representative Thomas P. Willmott

#### **Members Absent:**

#### **Staff Members Present:**

Ms. Alison Pryor, Committee Attorney  
Ms. Elise Read, Committee Analyst  
Ms. Karen Stephens, Committee Secretary  
Ms. Mattie Franklin, Sergeant at Arms  
Ms. Amy Robinson, Sergeant at Arms  
Ms. Beverly Vincent, Sergeant at Arms

### **III. PRESENTATION BY DEPARTMENT OF REVENUE STAFF**

Ms. Cynthia Bridges, secretary of the Department of Revenue, introduced the members of her executive team and used a PowerPoint presentation (see Exhibit "A") to explain the organization of the department.

### **IV. DISCUSSION OF LEGISLATION**

#### **House Bill No. 626 by Representative Robideaux**

On behalf of Representative Robideaux, Ms. Cynthia Bridges, secretary of the Department of Revenue (DOR), presented House Bill No. 626, which would recreate the DOR until 2017.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report House Bill No. 626 favorably, to which there was no objection. House Bill No. 626 was reported favorably by a vote of 18 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Present to provide information were Ms. Cynthia Bridges (Secretary) and Mr. Jason DeCuir (Chief of Staff), representing the DOR, P.O. Box 66258, Baton Rouge, LA 70896, (225) 219-2700.

#### **House Bill No. 969 by Representative Talbot**

Representative Talbot presented House Bill No. 969, which would authorize a rebate for taxpayers who donate to certain school tuition organizations. He provided a two-page analysis of the bill (see Exhibit "B") and a booklet entitled "Lessons for Louisiana from Florida's K-12 Education Revolution, March 2012" (see Exhibit "C") to the committee.

Representative Lorusso offered a set of amendments to make technical changes; to add provisions that the rebate may only be claimed by a taxpayer when the scholarship tuition organization (STO) certified to the DOE that the taxpayer's donation has funded a scholarship; and to change the amount of the rebate from the amount of the taxpayer's donation to the STO to the amount of the taxpayer's donation actually used by the STO to fund a scholarship, exclusive of administrative costs. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 18 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Representative Robideaux offered a set of amendments to make technical changes; to prohibit any parent who received scholarship payments in accordance with the provisions of proposed law from claiming the amount received for purposes of any other credit, deduction, exemption or rebate; to require that the costs of administering the school and district accountability system tests be paid using funds retained by the STO for administrative costs; and to authorize rather than require the DOE to conduct either a financial review or audit of an STO. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 18 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Representative Johnson offered a set of amendments to prohibit a scholarship from being designated or named after a private entity. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 16 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Whitney, Patrick Williams, and Willmott.

Representative Johnson offered a set of amendments to delete "complies with the criteria set forth in" and insert "is approved by the U.S. Department of Justice, Office of Civil Rights, and the board, pursuant to the mandates of" on page 4, line 24 of the bill. He also offered a motion to adopt the amendments, to which Representative Robideaux objected. The secretary called the roll and the motion to adopt the amendments failed by a vote of 3 yeas and 14 nays. Representatives Wesley Bishop, Johnson, and Patrick Williams voted yeas. Representatives Adams, Barras, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, and Willmott voted nay.

Representative Johnson offered a set of amendments to change references in the bill from "donations" to "advances" and to define "advance" as "a payment of money to an STO for purposes of participation in the scholarship program established in this Section." He also offered a motion to adopt the amendments, to which Representative Lorusso objected. The secretary called the roll and the motion to adopt the amendments failed by a vote of 1 yeas and 15 nays. Representative Johnson voted yeas. Representatives Adams, Barras, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, and Willmott voted nay.

Representative Johnson offered a set of amendments to clarify that the amount of the rebate shall be equal to the actual amount of the donation used by an STO fund a scholarship to a qualified student and would not include administrative costs. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 16 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Wesley Bishop, Broadwater, Burford, Guillory, Hazel, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Lorusso offered a motion to report House Bill No. 969 with amendments, to which Representative Johnson objected. The secretary called the roll and House Bill No. 969 was reported with amendments by a vote of 15 yeas and 4 nays. Representatives Adams, Barras, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Lambert, Lorusso, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott voted yea. Representatives Barrow, Wesley Bishop, Johnson, and Ritchie voted nay.

Present to provide information were Ms. Cynthia Bridges (Secretary) and Mr. Jason DeCuir (Chief of Staff), representing the DOR, P.O. Box 66258, Baton Rouge, LA 70896, (225) 219-2700; Ms. Erin Bendily, representing the Department of Education (DOE), P.O. Box 94064, Baton Rouge, LA 70804, (225) 342-3640; and Mr. Greg Albrecht (Chief Economist), representing the Legislative Fiscal Office, P.O. Box 44097, Baton Rouge, LA 70804, (225) 342-7233.

Present to speak in support were Ms. Stafford Palmieri and Ms. Rina Thomas, representing the governor's office, P.O. Box 94004, Baton Rouge, LA 70804, (225) 342-7099.

A copy of the witness cards for individuals (who were present but did not testify) in support of, in opposition to, and to provide information on the bill is attached. (see Exhibit "D")

## **V. OTHER BUSINESS**

There was no other business.

## **VI. ANNOUNCEMENTS**

Representative Robideaux introduced the new committee secretary, Karen Stephens.

## **VII. ADJOURNMENT**

Representative Robideaux offered a motion to adjourn the meeting, to which there was no objection. The meeting was adjourned at 12:19 p.m.

Respectfully submitted,

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Joel C. Robideaux

Date approved: \_\_\_\_\_