

HOUSE COMMITTEE ON WAYS AND MEANS

Minutes of Meeting
2012 Regular Session
Tuesday, April 17, 2012

I. CALL TO ORDER

Representative Joel C. Robideaux, chairman of the House Committee on Ways and Means, called the meeting to order at 9:14 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 Richard T. Burford
Representative Michael E. Danahay
Representative Mickey J. Guillory
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:

Representative Wesley T. Bishop
Representative Christopher Broadwater
Representative Lowell C. Hazel

Staff Members Present:

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

III. DISCUSSION OF LEGISLATION

Representative Robideaux announced that action on House Bill No. 1092 was voluntarily deferred.

House Bill No. 1096 by Representative Billiot

Representative Billiot presented House Bill No. 1096, which would re-create the Louisiana Tax Free Shopping Program. He provided a booklet entitled "Louisiana Tax Free Shopping" (see Exhibit "A") to the committee.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report House Bill No. 1096 favorably, to which there was no objection. House Bill No. 1096 was reported favorably by a vote of 13 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Whitney, Patrick Williams, and Willmott.

Present to provide information were Mr. Steven Windham and Ms. Denise Thevenot, representing the Louisiana Tax Free Shopping Commission, P.O. Box 21025, New Orleans, LA 70141, (504) 467-0723.

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 "B")

House Bill No. 1102 by Representative Ligi

Representative Ligi presented House Bill No. 1102, which would authorize the disclosure of certain taxpayer information to the Louisiana Clerks' of Court Association.

Representative Adams offered a set of amendments to delete a provision specifying the purpose of the list; to add a provision that annual disclosure of the list by the secretary shall begin September 1, 2012, and that the list shall be provided in an electronic format without cost to the association; to require the electronic parish list be provided to the district clerk of court upon written request to the association; and to add a provision that the list from the secretary shall not be considered a public record. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 13 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Whitney, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Willmott offered a motion to report House Bill No. 1102 with amendments, to which there was no objection. House Bill No. 1102 was reported with amendments by a vote of 13 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Whitney, Patrick Williams, and Willmott.

Present to provide information was Mr. Jon Gegenheimer, the Jefferson Parish Clerk of Court, P.O. Box 10, Gretna, LA 70054, (504) 364-2900.

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 "C")

House Bill No. 1104 by Representative Katrina Jackson

Representative Katrina Jackson presented House Bill No. 1104, which would require state agencies which administer tax credits to report certain information.

Representative Robideaux offered a set of amendments to add a requirement that the provisions of proposed law apply to tax rebates; to add provisions for maintenance of confidentiality of taxpayer information; and to add the definition of state agency. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 15 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Barrow offered a motion to report House Bill No. 1104 with amendments, to which there was no objection. House Bill No. 1104 was reported with amendments by a vote of 15 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Present to provide information was Mr. Jason DeCuir, chief of staff of the Department of Revenue, P.O. Box 66258, Baton Rouge, LA 70896, (225) 219-2700.

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")

House Bill No. 1072 by Representative Henry

Representative Henry presented House Bill No. 1072, which would broaden eligibility for the Quality Jobs Program for the granting of rebates to certain franchises of the National Basketball Association.

There was no further discussion on the bill.

Representative Lorusso offered a motion to report House Bill No. 1072 favorably, to which there was no objection. House Bill No. 1072 was reported favorably by a vote of 12 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Burford, Guillory, Hoffmann, Lambert, Lorusso, Robideaux, Whitney, Patrick Williams, and Willmott.

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

House Bill No. 674 by Representative Robideaux

On behalf of Representative Robideaux, Mr. Stephen Moret, secretary of the Department of Economic Development (DED), presented House Bill No. 674, a constitutional amendment which would authorize the granting of ad valorem tax exemption contracts by the Board of Commerce and Industry for certain businesses.

Representative Robideaux offered a set of amendments to add authorization for the legislature to provide by law for approval of contracts by the parish governing authority and the board. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 14 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Burford, Guillory, Hoffmann, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report House Bill No. 674 with amendments, to which there was no objection. House Bill No. 674 was reported with amendments by a vote of 13 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Burford, Guillory, Hoffmann, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Present to provide information was Ms. Rachel Farmer, representing the DED, 1051 N. Third Street, Baton Rouge, LA 70802, (225) 342-3000.

Present to speak in support were Mr. Stephen Moret, secretary of the DED, 1051 N. Third Street, Baton Rouge, LA 70802, (225) 342-3000 and Mr. John Gallagher, representing the Louisiana Municipal Association, 700 N. 10th Street, Baton Rouge, LA 70806, (225) 281-3573.

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 "E")

House Bill No. 694 by Representative Robideaux

Mr. Stephen Moret, secretary of the Department of Economic Development (DED), presented House Bill No. 694 for Representative Robideaux, which would establish a program to authorize the granting of ad valorem tax exemption contracts by the Board of Commerce and Industry for certain businesses.

Representative Robideaux offered a set of amendments to add a requirement that a project include at least \$25 million in capital investments in Louisiana; to delete the 24-month waiting period for effectiveness of a parish's discontinuation of participation in the program; to add specific circumstances under which a parish may indicate its approval of ad valorem tax exemption contracts for certain businesses; to add authorization for a parish governing authority to invite an eligible business to apply for a tax exemption contract; and to add provisions for the approval of specific ad valorem tax exemption contracts by a parish governing authority. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 12 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report House Bill No. 694 with amendments, to which there was no objection. House Bill No. 694 was reported with amendments by a vote of 13 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Robideaux, Whitney, Patrick Williams, and Willmott.

Present to provide information was Mr. Greg Albrecht, chief economist of the Legislative Fiscal Office, P.O. Box 44097, Baton Rouge, LA 70804, (225) 342-7233.

Present to speak in support was Mr. Stephen Moret, secretary of the DED, 1051 N. Third Street, Baton Rouge, LA 70802, (225) 342-3000.

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 "F")

House Bill No. 648 by Representative Patrick Williams

Representative Patrick Williams presented House Bill No. 648, which would require local sales and use taxes to be collected on prescription drugs and pharmacist services based on the final payment price paid by certain parties.

Representative Patrick Williams offered a set of amendments in the form of a substitute bill to exempt prescription drugs and pharmacists services from local sales and use taxes, beginning January 1, 2014. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 13 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Robideaux, Whitney, Patrick Williams, and Willmott.

There was no further discussion or action on the bill.

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 "G")

House Bill No. 1001 by Representative Robideaux

Representative Robideaux presented House Bill No. 1001, which would prohibit the State Bond Commission from approving bonds, notes, or other indebtedness of political subdivisions against whom there is an unpaid judgment issued by a court of competent jurisdiction for amounts owed for services performed under contract.

Representative Robideaux offered a set of amendments to change the definition of "eligible judgment". He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 15 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Barrow, Burford, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Representative Patrick Williams offered a set of amendments to remove Bossier, Caddo, and Claiborne parishes from the bill. He withdrew the amendments before a vote was taken.

Representative Robideaux offered a set of amendments to change the definition of "contractual obligation". 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, Barrow, Burford, Danahay, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Representative Adams offered a set of amendments to remove debt incurred by a law enforcement district for support of its operations. 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, Barrow, Burford, Danahay, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report House Bill No. 1001 with amendments, to which Representative Ritchie objected. The secretary called the roll and the motion to report House Bill No. 1001 with amendments failed by a vote of 8 yeas and 8 nays. Those voting yeas were Representatives Barras, Barrow, Burford, Guillory, Hoffmann, Lambert, Lorusso, and Robideaux. Representatives Adams, Danahay, Johnson, Ritchie, Thibaut, Whitney, Patrick Williams, and Willmott voted nay.

Present to speak in support were Mr. Morgan Watson, representing professional engineers, 4402 Anton Avenue, Baker, LA 70714, (225) 927-7340; Mr. Daniel Davis, representing the Unified Recovery Group, 631 Main Street, Baton Rouge, LA 70801, (225) 202-3658; and Mr. Russ Wray, representing the Louisiana Association of General Contractors, 509 St. Louis Street, Baton Rouge, LA 70802, (225) 334-9200.

Present to speak in opposition were Mr. Rodney Braxton, representing the city of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 381-0166; Mr. John Gallagher and Mr. Brad Myers, representing the Louisiana Municipal Association, 700 N. 10th Street, Baton Rouge, LA 70806, (225) 201-3573; Mr. Roland Dartez, representing the Police Jury Association, 707 N. 10th Street, Baton Rouge, LA 70802, (225) 387-1833; and Sheriff Newell Normand, representing the Jefferson Parish Sheriff's Office, 1233 Westbank Expressway, Harvey, LA 70058, (504) 363-5500

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 "H")

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Patrick Williams offered a motion to adjourn the meeting, to which there was no objection. The meeting was adjourned at 12:14 p.m.

Respectfully submitted,

Joel C. Robideaux

Date approved: _____