

HOUSE COMMITTEE ON WAYS AND MEANS

Minutes of Meeting
2012 Regular Session
Tuesday, May 1, 2012

I. CALL TO ORDER

Representative Joel C. Robideaux, chairman of the House Committee on Ways and Means, called the meeting to order at 10:19 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. Amy Robinson, Sergeant at Arms

III. DISCUSSION OF LEGISLATION

Senate Bill No. 270 by Senator Perry

Representative Robideaux presented Senate Bill No. 270 for Senator Perry, which would provide for donations of tax refunds to the Friends of Palmetto Island State Park, Inc. through a check-off box on state income tax returns.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report Senate Bill No. 270 favorably, to which there was no objection. Senate Bill No. 270 was reported favorably by a vote of 14 yeas and 0 nays. Those voting yea were Representatives Adams, Barrow, Wesley Bishop, Burford, Danahay, Guillory, Hoffmann, Lambert, Lorusso, Ritchie, Robideaux, Whitney, Patrick Williams, and Willmott.

Senate Bill No. 271 by Senator Perry

Representative Robideaux presented Senate Bill No. 271 for Senator Perry, which would provide for donations of tax refunds to the Dreams Come True, Inc., through a check-off box on state income tax returns.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report Senate Bill No. 271 favorably, to which there was no objection. Senate Bill No. 271 was reported favorably by a vote of 14 yeas and 0 nays. Those voting yea were Representatives Adams, Barrow, Wesley Bishop, Burford, Danahay, Guillory, Hoffmann, Lambert, Lorusso, Ritchie, Robideaux, Whitney, Patrick Williams, and Willmott.

House Bill No. 1186 by Representative Leopold

Representative Leopold presented House Bill No. 1186, which would ratify and continue the dedication of State Highway Fund No. 2 monies for the payment of bonds for capital maintenance and improvements for the Crescent City Connection.

There was no further discussion on the bill.

Representative Wesley Bishop offered a motion to report House Bill No. 1186 favorably, to which Representative Robideaux objected. The secretary called the roll and motion to report House Bill No. 1186 favorably failed by a vote of 4 yeas and 12 nays. Those voting yea were Representatives Adams, Wesley Bishop, Lorusso, and Willmott. Representatives Barrow, Broadwater, Burford,

Guillory, Hoffmann, Johnson, Lambert, Ritchie, Robideaux, Thibaut, Whitney, and Patrick Williams voted nay.

Present to provide information was Mr. Michael Bridges, representing the Department of Transportation and Development, 1201 Capitol Access Road, Baton Rouge, LA, (225) 379-1270.

Present to speak in support was Mr. John Young, Jefferson Parish President, 1221 Elmwood Park Boulevard, Jefferson, LA, (225) 736-6400.

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 "A")

House Bill No. 1114 by Representative Patrick Williams

Representative Patrick Williams presented House Bill No. 1114, which would define "dealer" for sales and use tax.

There was no further discussion on the bill.

Representative Patrick Williams offered a motion to voluntarily defer action on House Bill No. 1114, to which there was no objection. Action on House Bill No. 1114 was voluntarily deferred by a vote of 16 yeas and 0 nays. Those voting yea were Representatives Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Present to speak in support were Mr. Henri Louapre, representing Loubat Equipment Company, 4141 Bienville Avenue, New Orleans, LA, 70119, (504) 482-2554; Mr. Tom Lowenburg, representing Octavia Books, 513 Octavia Street, New Orleans, LA 70115, (504) 899-7323; and Mr. Mike Massey, representing Massey Outfitters, 500 N. Carrollton, New Orleans, LA 70119, (504) 648-0292.

Present to speak in opposition were Mr. Kevin Kane, representing the Pelican Institute for Public Policy, 843 Magazine Street, New Orleans, LA (504) 920-4727 and Mr. Larry Murray, representing Amazon, P.O. Box 44153, Baton Rouge, LA 70804, (225) 381-0127.

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")

Senate Bill No. 499 by Senator Riser

Senator Riser presented Senate Bill No. 499, 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 Broadwater offered a set of amendments to put all parishes of the state back into the bill. He also offered a motion to adopt the amendments, to which Representative Danahay objected. The amendments were adopted by a vote of 10 yeas and 5 nays. Those voting yea were Representatives Adams, Barrow, Wesley Bishop, Broadwater, Guillory, Hoffmann, Lambert, Ritchie, Robideaux, and Patrick Williams. Representatives Danahay, Hazel, Lorusso, Thibaut, and Willmott voted nay.

Representative Robideaux offered a set of amendments to change the definition of "eligible judgment" to mean a judgment which has become final and nonappealable and remove a reference to "appeal bond". He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 17 yeas and 0 nays. Those voting yea were Representatives Adams, Barrow, Wesley Bishop, Broadwater, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Williams, and Willmott.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report Senate Bill No. 499 with amendments, to which Representative Danahay objected. The motion to report Senate Bill No. 499 with amendments failed by a vote of 6 yeas and 11 nays. Those voting yea were Representatives Barras, Broadwater, Hoffmann, Lambert, Robideaux, and Whitney. Representatives Adams, Barrow, Wesley Bishop, Danahay, Guillory, Hazel, Johnson, Ritchie, Thibaut, Patrick Williams, and Willmott voted nay.

Present to speak in opposition were Mr. Tom Ed McHugh, representing the Louisiana Municipal Association, 700 N. 10th Street, Baton Rouge, LA 70821, (225) 344-5001; Mr. Roland Dartez, representing the Police Jury Association, 707 N. Seventh Street, Baton Rouge, LA 70802, (225) 343-2035; Mr. Rodney Braxton, representing the city of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 381-0166; Mr. Ricky Goff, representing the Livingston Parish Council, 32774 Kirbywood Drive, Walker, LA 70785, (225) 290-4877; and Representative Sherman Mack, representing House District 95, 29724 S. Magnolia Street, Suite 5, Livingston, LA 70754, (225) 686-3887.

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. 1092 by Representative Fannin

Representative Fannin presented House Bill No. 1092, which would authorize the Department of Revenue (DOR) to make payment of tax refunds by means of a debit card at the option of the taxpayer and would prohibit the use of the debit cards in gaming establishments.

Representative Robideaux offered a set of amendments to delete provisions regarding the use of refund monies at gaming establishments and to add a requirement for the paper tax form to have options for the taxpayer to choose the form of refund payment. 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 yea were Representatives Barras, Barrow, Wesley Bishop, Broadwater, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, and Patrick Williams.

There was no further discussion on the bill.

Representative Broadwater offered a motion to report House Bill No. 1092 with amendments, to which there was no objection. House Bill No. 1092 was reported with amendments by a vote of 18 yeas and 0 nays. Those voting yea were Representatives Adams, Barras, Barrow, Wesley Bishop, Broadwater, Danahay, Guillory, Hazel, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

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")

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Robideaux offered a motion to adjourn the meeting, to which there was no objection. The meeting was adjourned at 1:25 p.m.

Respectfully submitted,

Joel C. Robideaux

Date approved: _____