

House Committee on Ways and Means

Minutes of Meeting
2016 First Extraordinary Session
February 17, 2016

I. CALL TO ORDER

Representative Neil C. Abramson, Chairman of the House Committee on Ways and Means, called the meeting to order at 9:14 a.m. in Room 6, in the State Capitol in Baton Rouge, Louisiana. The secretary called the roll.

II. ROLL CALL

MEMBERS PRESENT:

Representative Neil C. Abramson, Chairman
Representative Joseph Bouie, Jr.
Representative Chris Broadwater
Representative Paula P. Davis
Representative Phillip R. DeVillier
Representative Stephen C. Dwight
Representative Jimmy Harris
Representative Stephanie Hilferty
Representative Dodie Horton
Representative Marcus L. Hunter
Representative Mike Huval
Representative Barry Ivey
Representative Edward C. "Ted" James, II
Representative Robert A. Johnson
Representative John C. "Jay" Morris, III
Representative James H. "Jim" Morris, Vice Chairman
Representative Julie Stokes
Representative Major Thibaut
Representative Thomas P. Willmott

MEMBERS ABSENT:

None

STAFF MEMBERS PRESENT:

Ms. Alison Pryor, deputy director
Ms. Elise C. Read, senior legislative analyst
Ms. Gay Owens, secretary

ADDITIONAL ATTENDEES PRESENT:

Ms. Janet Anthony, sergeant at arms
Ms. Beverly Hurst, sergeant at arms

III. DISCUSSION OF LEGISLATION

House Bill No. 3, House Bill No. 14, and House Bill No. 15 were presented together.

House Bill No. 3 by Representative Hoffmann

Representative Hoffmann presented House Bill No. 3, which levied an additional tax on cigarettes.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 3 to the calendar. Without objection, House Bill No. 3 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Robert Johnson, Jay Morris, Jim Morris, Thibaut, and Willmott voted yeas.

Present to provide information were Mr. Greg Albrecht, Chief Economist, Legislative Fiscal Office (LFO), 900 North Third Street, #18, Baton Rouge, LA 70802, (225) 342-7233; Ms. Kimberly Robinson, Secretary, and Ms. Shirley Bonaccorso, Tax Research Analyst, Dept. of Revenue (DOR), 617 North Third Street, Baton Rouge, LA 70802, (225) 219-2700.

Present to speak in support were Ms. Angela Lorio, 11850 Wentling Avenue, #A8, Baton Rouge, LA 70816, (225) 778-7765, and Dr. Philip Rozeman, Shreveport Chamber of Commerce, Willis Knighton, 510 Longleaf Road, Shreveport, LA 71106, (318) 426-7401.

Present to speak in opposition were Mr. T. Bradley Keith, Invest in a Healthy Louisiana Coalition, 18647 Mossy Oak Court, Prairieville, LA 70769, (225) 603-0668; Ms. Lydia Kuykendal, American Cancer Society Action Network, 2605 River Road, New Orleans, LA (317) 910-8581; Ms. Tonya Moore, Campaign for Tobacco Free Living, (No card); Mr. Fred Hoyt, Smoke N Go, LLC, (No address provided) Abbeville, LA 70510, (337) 652-4012; Mr. Bill Shepard, Church Point Wholesale, 9484 Church Point Highway, Church Point, LA (337) 684-5411; and Mr. Mike Donahue, Shop Rite Tobacco Plus Stores, 115 East First Street, Crowley, LA 70526, (337) 785-2924.

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 House Bill No. 3 is available upon request.

House Bill No. 14 by Representative Leger

Representative Leger presented House Bill No. 14, which levied an additional tax on cigarettes.

Representative Abramson offered a motion to return House Bill No. 14 to the calendar. Without objection, House Bill No. 14 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Robert Johnson, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

Present to provide information was Mr. Greg Albrecht, Chief Economist, LFO; Ms. Kimberly Robinson, Secretary, and Ms. Shirley Bonaccorso, Tax Research Analyst, DOR.

There was no further discussion on the bill.

Present to speak in support were Ms. Angela Lorio, 11850 Wentling Avenue, #A8, Baton Rouge, LA 70816, (225) 778-7765, and Dr. Philip Rozeman, Shreveport Chamber of Commerce, Willis Knighton, 510 Longleaf Road, Shreveport, LA 71106, (318) 426-7401.

Present to speak in opposition were Mr. T. Bradley Keith, Invest in a Healthy Louisiana Coalition, 18647 Mossy Oak Court, Prairieville, LA 70769, (225) 603-0668; Ms. Lydia Kuykendal, American Cancer Society Action Network, 2605 River Road, New Orleans, LA (317) 910-8581; Ms. Tonya Moore, Campaign for Tobacco Free Living, 1515 Poydras Street, New Orleans, LA, (504) 301-9830; Mr. Fred Hoyt, Smoke N Go, LLC, 201 South State Street, Abbeville, LA 70510, (337) 652-4012; Mr. Bill Shepard, Church Point Wholesale, 9484 Church Point Highway, Church Point, LA (337) 684-5411; and Mr. Mike Donahue, Shop Rite Tobacco Plus Stores, 115 East First Street, Crowley, LA 70526, (337) 785-2924.

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 House Bill No. 14 is available upon request.

House Bill No. 15 by Representative Cox

Representative Cox presented House Bill No. 15, which levied an additional tax on cigarettes.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 15 to the calendar. Without objection, House Bill No. 15 was returned to the calendar by a vote of 16 yeas and 0 nays.

Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Robert Johnson, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

Present to provide information were Mr. Greg Albrecht, Chief Economist, LFO; Ms. Kimberly Robinson, Secretary, and Ms. Shirley Bonaccorso, Tax Research Analyst, DOR.

Present to speak in support were Ms. Angela Lorio, 11850 Wentling Avenue, #A8, Baton Rouge, LA 70816, (225) 778-7765, and Dr. Philip Rozeman, Shreveport Chamber of Commerce, Willis Knighton, 510 Longleaf Road, Shreveport, LA 71106, (318) 426-7401.

Present to speak in opposition were Mr. T. Bradley Keith, Invest in a Healthy Louisiana Coalition, 18647 Mossy Oak Court, Prairieville, LA 70769, (225) 603-0668; Ms. Lydia Kuykendal, American Cancer Society Action Network, 2605 River Road, New Orleans, LA (317) 910-8581; Ms. Tonya Moore, Campaign for Tobacco Free Living, 1515 Poydras Street, New Orleans, LA, (504) 301-9830; Mr. Fred Hoyt, Smoke N Go, LLC, (No address provided) Abbeville, LA 70510, (337) 652-4012; Mr. Bill Shepard, Church Point Wholesale, 9484 Church Point Highway, Church Point, LA (337) 684-5411; and Mr. Mike Donahue, Shop Rite Tobacco Plus Stores, 115 East First Street, Crowley, LA 70526, (337) 785-2924.

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 House Bill No. 15 is available upon request.

House Bill No. 56 by Representative Anders

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 56. Without objection, action on House Bill No. 56 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Robert Johnson, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

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 House Bill No. 56 is available upon request.

House Bill No. 6 by Representative Pugh

Representatives Pugh and Leger presented House Bill No. 6, which provided for the collection of sales and use taxes due on sales made in Louisiana by a remote dealer.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 6 to the calendar. Without objection, House Bill No. 6 was returned to the calendar by a vote of 16 yeas and 0 nays.

Representatives Abramson, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Robert Johnson, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

Present to speak in support were Mr. Roger Bergeron, LA Association of Tax Administrators, 547 Sixth Street, Port Allen, LA (225) 932-4435; Mr. Thomas P. Louenburg, Octavia Books, LLC, 513 Octavia Street, New Orleans, LA 70115, (504) 899-7323; and Mr. Dana Eress, Stay Local, 1307 Oreatha Castle Haley Blvd., New Orleans, LA 70113, (504) 252-1259.

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 House Bill No. 6 is available upon request.

House Bill No. 30 by Representative Leger

Representative Leger presented House Bill No. 30, which provided for the collection of sales and use taxes due on sales made in Louisiana by a remote dealer.

Representative Abramson offered a motion to return House Bill No. 30 to the calendar. Without objection, House Bill No. 30 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Robert Johnson, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Present to speak in support were Mr. Roger Bergeron, Louisiana Association of Tax Administrators, 547 Sixth Street, Port Allen, LA, (225) 932-4435; Mr. Thomas P. Louenburg, Octavia Books, LLC, 513 Octavia Street, New Orleans, LA 70115, (504) 899-7323; and Mr. Dana Eness, Stay Local, 1307 Oreatha Castle Haley Boulevard, New Orleans, LA 70113, (504) 252-1259.

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 House Bill No. 30 is available upon request.

House Bill No. 39 by Representative Stokes

Representative Stokes presented House Bill No. 39, which levied an automobile rental tax.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 39 to the calendar. Without objection, House Bill No. 39 was returned to the calendar by a vote of 18 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

Present to speak in opposition was Mr. Alexis Hocevar, Automobile Rental Industry, 3545 North I-10 Service Road, Metairie, LA 70002, (504) 416-3775.

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 House Bill No. 39 is available upon request.

House Bill No. 38 by Representative Foil

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 38. Without objection, action on House Bill No. 38 was voluntarily deferred by a vote of 18 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

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 House Bill No. 38 is available upon request.

The meeting recessed at 11:58 a.m. and reconvened at 1:15 p.m.

House Bill No. 10 by Representative Cox

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 10. Without objection, action on House Bill No. 10 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Robert Johnson, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

House Bill No. 11 by Representative Cox

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 11. Without objection, action on House Bill No. 11 was voluntarily deferred by a vote of 18 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

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 House Bill No. 11 is available upon request.

House Bill No. 12 by Representative Cox

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 12. Without objection, action on House Bill No. 12 was voluntarily deferred by a vote of 18 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

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 House Bill No. 12 is available upon request.

House Bill No. 13 by Representative Cox

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 13. Without objection, action on House Bill No. 13 was voluntarily deferred by a vote of 18 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

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 House Bill No. 13 is available upon request.

House Bill No. 9, House Bill No. 21, House Bill No. 43, and House Bill No. 52 were presented together.

House Bill No. 21 by Representative Broadwater

Representative Broadwater presented House Bill No. 21, which provided for the amount of vendors compensation payable for the collection and remittance of state sales and use taxes.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 21 to the calendar. Without objection, House Bill No. 21 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Huval, Robert Johnson, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

Present to speak in opposition to House Bill No. 21 were Mr. Chris Young, Beer League Industry, 575 North Eighth Street, Baton Rouge, LA 70802, (225) 343-3436; Ms. Kristie Toller, J. C. Penney Corporation, Inc., 6501 Legacy Drive, Plano, TX 75024, (972) 431-4012; Mr. Fred Hoyt, Smoke N Go, 201 South State Street, Abbeville, LA 70518, (337) 652-4012; and Mr. Ricky Landry, LA Retailers Association, 4021 W. E. Heck Court, Baton Rouge, LA 70816, (225) 344-9481.

Present to provide information on House Bill No. 21 were Ms. Debbie Vivien, Economist, Legislative Fiscal Office, 900 North Third Street, #18, Baton Rouge, LA 70802, (225) 342-7233, and Ms. Kimberly Robinson, Secretary, DOR.

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 House Bill No. 21 is available upon request.

House Bill No. 9 by Representative Cox

Representative Cox presented House Bill No. 9, which provided for the amount of dealer's compensation for collection and remittance of state sales and use taxes.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 9 to the calendar. Without objection, House Bill No. 9 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Huval, Robert Johnson, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

Present to speak in opposition were Mr. Chris Young, Beer League Industry, 575 North Eighth Street, Baton Rouge, LA 70802, (225) 343-3436; Ms. Kristie Toller, J. C. Penney Corporation, Inc., 6501 Legacy Drive, Plano, TX 75024, (972) 431-4012; Mr. Fred Hoyt, Smoke N Go, 201 South State Street, Abbeville, LA 70518, (337) 652-4012; and Mr. Ricky Landry, LA Retailers Association, 4021 W. E. Heck Court, Baton Rouge, LA 70816, (225) 344-9481.

Present to provide information only were Ms. Debbie Vivien, Economist, LFO, and Ms. Kimberly Robinson, Secretary, DOR.

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 House Bill No. 9 is available upon request.

House Bill No. 43 by Representative White

Representative White presented House Bill No. 43, which provided for the amount of vendors compensation authorized as compensation for the collection and remittance of state sales and use taxes.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 43 to the calendar. Without objection, House Bill No. 43 was returned to the calendar by a vote of 16 yeas and 0 nays.

Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Huval, Robert Johnson, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

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 House Bill No. 43 is available upon request.

House Bill No. 52 by Representative Abramson

Representative Abramson offered a motion to return House Bill No. 52 to the calendar. Without objection, House Bill No. 52 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Huval, Robert Johnson, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

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 House Bill No. 52 is available upon request.

House Bill No. 28 by Representative Cox

Representative Cox presented House Bill No. 28, which reduced the amount of the discount for accurately reporting and remitting excise taxes on alcoholic beverages and beer.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 28 to the calendar. Without objection, House Bill No. 28 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Huval, Robert Johnson, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

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 House Bill No. 28 is available upon request.

House Bill No. 27 by Representative Cox

Representative Cox presented House Bill No. 27, which increased the excise tax levied on certain alcoholic beverages.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 27 to the calendar. Without objection, House Bill No. 27 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, James, Robert Johnson, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

Present to provide information were Ms. Shanda McClain, Dept. of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 219-2780; and Ms. Debbie Vivien, Economist, LFO.

Present to speak in opposition were Mr. Chris Young and Mr. John Williams, Beer Industry League, 575 North Eighth Street, Baton Rouge, LA 70802, (225) 343-3436.

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 House Bill No. 27 is available upon request.

House Bill No. 26 by Representative Cox

Representative Cox presented House Bill No. 26, which reduced the amount of the discount for accurately reporting and remitting excise taxes on certain tobacco products and the amount of the discount for stamping cigarettes.

There was no further discussion on the bill.

Representative Abramson offered a motion to return House Bill No. 26 to the calendar. Without objection, House Bill No. 26 was returned to the calendar by a vote of 18 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

Present to speak in opposition were Mr. Wayne Baquet, Imperial Trading, 7011 Edwards Avenue, Elmwood, LA 70123, (504) 736-4026; Mr. David Tatman, LA Association of Wholesalers, 3043 Old Forge Drive, Baton Rouge, LA 70808, (225) 767-7640; and Mr. Keith Joubert, Church Point Wholesale, 9684 Church Point Highway, Church Point, LA 70525, (337) 684-5411.

Present to provide information only was Ms. Kimberly Robinson, Secretary, DOR; Ms. Debbie Vivien, Economist, LFO; and Mr. David Tatman, LA Association of Wholesalers, 3043 Old Forge Drive, Baton Rouge, LA 70808, (225) 767-7640.

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 House Bill No. 26 is available upon request.

House Bill No. 18 by Representative Montoucet

Representative Abramson offered a motion to return House Bill No. 18 to the calendar. Without objection, House Bill No. 18 was returned to the calendar by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jay Morris, Jim Morris, and Willmott voted yea.

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 House Bill No. 18 is available upon request.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

Representative Abramson announced that House Bill No. 53 and House Bill No. 54 were not heard at this meeting. Authors of duplicate bills sat together at the witness table, provided an opening on each particular bill, and allowed committee members to entertain questions.

VI. ADJOURNMENT

Representative Jim Morris offered a motion to adjourn. Without objection, the motion to adjourn passed by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Robert Johnson, Jay Morris, Jim Morris, and Willmott voted yea.

The meeting was adjourned at 3:57 p.m.

Respectfully submitted,

Chairman Neil C. Abramson
House Committee on Ways and Means