

House Committee on Ways and Means

Minutes of Meeting
2016 First Extraordinary Session
February 25, 2016

I. CALL TO ORDER

Representative Neil C. Abramson, Chairman of the House Committee on Ways and Means, called the meeting to order at 8:12 a.m. in Room 6, in the State Capitol in Baton Rouge, Louisiana.

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, legislative analyst

Ms. Linda Hopkins, committee assistant
Ms. Gay Owens, secretary

ADDITIONAL ATTENDEES PRESENT:

Ms. Janet Anthony, sergeant at arms
Ms. Beverly Hurst, sergeant at arms
Ms. Myrtis Jarrell, sergeant at arms
Mr. M.J. Hernandez, clerk

III. DISCUSSION OF LEGISLATION

House Bill No. 81 by Representative Thibaut

Representative Thibaut presented House Bill No. 81, a Constitutional Amendment to repeal certain state sales and use tax exemptions.

Representative Thibaut offered amendments (HCAHB81 416 487) to change the Resolution *from* one that adds an exemption from state sales and use taxes for alternative energy for residential use *to* one that repeals the constitutional state sales and use tax exemptions for certain food, residential utilities, and prescription drugs. Representative Abramson offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Abramson, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Johnson, Jay Morris, Stokes, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Representative Thibaut offered a motion to report House Bill No. 81 with amendments, with recommendation that it be recommitted to the House Committee on Civil Law and Procedure. Without objection, House Bill No. 81 was reported with amendments, with recommendation that it be recommitted to the House Committee on Civil Law and Procedure by a vote of 12 yeas and 0 nays. Representatives Abramson, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Stokes, and Thibaut voted yea.

House Bill No. 125 by Representative Thibaut

Representative Thibaut presented House Bill No. 125, which repealed the state sales and use tax exemption for food and prescription drugs.

There was no further discussion on the bill.

Present to speak in opposition was Mr. Rob Tasman, LA Conference of Catholic Bishops, 2341 South Acadian Thruway, Suite 250, Baton Rouge, LA 70808, (225) 344-7120.

Representative Thibaut offered a motion to report House Bill No. 125 favorably. Without objection, House Bill No. 125 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Huval, James, Johnson, Jay Morris, Jim Morris, Stokes, and Thibaut 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. 125 is available upon request.

House Bill No. 114 by Representative Thibaut

Representative Thibaut presented House Bill No. 114, which provides relative to the state sales and use tax.

Representative Thibaut offered amendments (HCAHB114 2991 370) to change the effectiveness provision. Representative Thibaut offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 17 yeas and 0 nays. Representatives Abramson, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Johnson, Jay Morris, Stokes, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Representative Stokes offered a motion to report House Bill No. 114 with amendments. Without objection, House Bill No. 114 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Johnson, Jay Morris, Jim Morris, Stokes, and Thibaut voted yea.

House Concurrent Resolution No. 4 by Representative Jay Morris

Representative Jay Morris presented House Concurrent Resolution No. 4, which suspended various exemptions concerning the 2%, 1%, and 0.97% state sales and use tax levies.

Representative Jay Morris offered amendments to change the structure of the restitution *from* one that listed the exemptions which would not be affected by the suspension, and the amendments list *to* one that lists the specific exemptions and exclusion provisions that would be subject to suspension. Representative Jay Morris offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Johnson, Jay Morris, Jim Morris, Stokes, and Thibaut voted yea.

There was no further discussion on the bill.

Representative Jay Morris offered a motion to report House Concurrent Resolution No. 4 with amendments. Without objection, House Concurrent Resolution No. 4 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Abramson, Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Johnson, Jay Morris, Jim Morris, Stokes, and Thibaut 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 Concurrent Resolution No. 4 is available upon request.

House Bill No. 98 by Representative Jay Morris

Representative Jay Morris presented House Bill No. 98, which amended Act No. 125 of the 2015 Regular Session of the Legislature to provide relative to income and corporation franchise tax credits.

Representative Thibaut offered a motion to involuntarily defer action on House Bill No. 98, to which Representative Jay Morris objected. House Bill No. 98 was involuntarily deferred by a vote of 10 yeas and 5 nays. Representatives Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Huval, Stokes, Thibaut, and Willmott voted yea. Representatives Bouie, Hunter, James, Johnson, and Jay Morris voted nay.

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. 98 is available upon request.

House Bill No. 36 by Representative Jay Morris

House Bill No. 36 reduces the rates and modifies the brackets for purposes of calculating corporate income tax liability.

There was no discussion on the bill.

Representative Jay Morris offered a motion to voluntarily defer action on House Bill No. 36. Without objection, action on House Bill No. 36 was voluntarily deferred by a vote of 15 yeas and 0 nays. Representatives Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Johnson, Jay Morris, Stokes, Thibaut, and Willmott voted yea.

House Bill No. 101 by Representative Jackson

Representative Jackson presented House Bill No. 101, which provides for the extent of applicability of various exclusions and exemptions from state sales and use tax.

Representative James offered amendments (HCAHB101 422 369) to add the imposition of an additional half cent sales and use tax beginning April 1, 2016. Representative James offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Johnson, Jay Morris, Stokes, Thibaut, and Willmott voted yea.

Representative James offered amendments (HCAHB101 416 374) to restore changes to *present law concerning the sales and use tax exclusions and exemptions for manufacturing machinery and equipment for various business sectors*. Representative James offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Bouie, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, James, Johnson, Jay Morris, Stokes, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Present to speak for information only were Ms. Debbie Vivien, Economist, and Mr. Greg Albrecht, Chief Economist, Legislative Fiscal Office.

Present to speak in support were Mrs. Nicole DeJean, and Ms. Lillian DeJean, 404 Hidden Wood Drive, Lafayette, LA 70508, (337) 837-6019; Ms. Ashley McReynolds, 1862 Tudor Drive, Baton Rouge, LA 70815, (225) 715-5740; Ms. Kay Lewis, 12675 Wedgewood Drive, Baker, LA 70214, (225) 235-5610; and Ms. Doris Heckert, 1150 East River Oaks Drive, Baton Rouge, LA 70815, (225) 721-5910.

Representative Broadwater offered a motion to report House Bill No. 101 with amendments, to which Representative Horton objected. House Bill No. 101 was reported with amendments by a vote of 13 yeas and 2 nays. Representatives Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Hunter, Huval, James, Johnson, Jay Morris, Stokes, and Thibaut voted yea. Representatives Horton and Willmott voted nay.

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. 101 is available upon request.

IV. OTHER BUSINESS

There was no other business.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative Thibaut offered a motion to adjourn. Without objection, the motion to adjourn passed by a vote of 17 yeas and 0 nays. Representatives Abramson, Broadwater, Davis, DeVillier, Dwight, Jimmy Harris, Hilferty, Horton, Hunter, Huval, Ivey, James, Johnson, Jay Morris, Stokes, Thibaut, and Willmott voted yea.

The meeting was adjourned at 10:25 a.m.

Respectfully submitted,

Chairman Neil C. Abramson
House Committee on Ways and Means