

## **House Committee on Ways and Means**

Minutes of Meeting  
2016 Regular Session  
March 29, 2016

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

Representative Neil C. Abramson, Chairman of the House Committee on Ways and Means, called the meeting to order at 10:14 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 Stephanie Hilferty  
Representative Dodie Horton  
Representative Barry Ivey  
Representative Edward C. "Ted" James, II  
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:**

Representative Jimmy Harris  
Representative Marcus L. Hunter  
Representative Mike Huval  
Representative Robert A. Johnson

#### **STAFF MEMBERS PRESENT:**

Ms. Alison Pryor, deputy director  
Ms. Elise C. Read, legislative analyst

Ms. Gay Owens, secretary

**ADDITIONAL ATTENDEES PRESENT:**

Ms. Janet Anthony, sergeant at arms

**III. DISCUSSION OF LEGISLATION**

**House Bill No. 236 by Representative Thibaut**

Representative Thibaut presented House Bill No. 236, which provides grace period in order to pay certain taxes and fees related to motor vehicles for persons separating from active duty military service.

Representative Broadwater offered amendments to add an effective date of governor's signature upon or lapse of time for gubernatorial action. Representative Broadwater offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Representative Broadwater offered a motion to report House Bill No. 236 with amendments. Without objection, House Bill No. 236 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, 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. 236 is available upon request.

**House Bill No. 505 by Representative Mike Johnson**

Representative Mike Johnson presented House Bill No. 505, a Constitutional Amendment which establish a total ad valorem property tax exemption for the surviving spouse of a member of the armed forces of the United States, the La. National Guard, the La. State Police, or a law enforcement or fire protection officer killed in the line of duty.

Representative Abramson offered amendments to add eligibility for surviving spouses of persons who were killed while on active duty with La. National Guard; while on duty as a member of the state police; or as a law enforcement or fire protection officer who qualified for supplemental pay. Representative Abramson offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie,

Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Representative Broadwater offered a motion to report House Bill No. 505 with amendments. Without objection, House Bill No. 505 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

#### **House Bill No. 426 by Representative Broadwater**

House Bill No. 426 establishes qualifications for the issuance of a Direct Payment Number for purposes of payment of sales and use taxes.

There was no discussion on the bill.

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 426. Without objection, action on House Bill No. 426 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, 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. 426 is available upon request.

#### **House Bill No. 697 by Representative Jones**

House Bill No. 697 authorizes the secretary of the Dept. of Revenue to waive penalties under certain conditions.

There was no discussion on the bill.

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 697. Without objection, action on House Bill No. 697 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

#### **House Bill No. 735 by Representative Abramson**

Ms. Kimberly Robinson, secretary, Dept. of Revenue, presented House Bill No. 735, which provides relative to the deadlines for the payment of certain taxes and the time and place for the filing of certain income tax returns.

Present to speak for information only was Mr. William E. Little, attorney, policy services, Dept. of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 219-4059.

There was no further discussion on the bill.

Representative Abramson offered a motion to report House Bill No. 735 favorably. Without objection, House Bill No. 735 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, 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. 735 is available upon request.

#### **House Bill No. 737 by Representative Abramson**

Ms. Kimberly Robinson, secretary, Dept. of Revenue, presented House Bill No. 737, which changed the deadline for the submission of annual reports to the Department of Revenue regarding deductions and withholdings of employee wages.

Representative Abramson offered amendments to change the due date of annual report *from* Jan. 31<sup>st</sup> of each year *to* on or before Jan. 31<sup>st</sup> of each year. Representative Abramson offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Representative Abramson offered a motion to report House Bill No. 737 with amendments. Without objection, House Bill No. 737 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

Present to speak for information only was Mr. William E. Little, attorney, policy services, Dept. of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 219-4059.

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. 737 is available upon request.

**House Bill No. 738 by Representative Abramson**

Ms. Kimberly Robinson, secretary, Dept. of Revenue, presented House Bill No. 738, which provides relative to the enforcement and supervision of the collection of certain inspection and supervision fees.

There was no further discussion on the bill.

Representative Abramson offered a motion to report House Bill No. 738 favorably. Without objection, House Bill No. 738 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, 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. 738 is available upon request.

**House Bill No. 756 by Representative Abramson**

Ms. Kimberly Robinson, secretary, Dept. of Revenue, presented House Bill No. 756, which requires the electronic filing of certain claims for refunds.

There was no further discussion on the bill.

Representative Abramson offered a motion to report House Bill No. 756 favorably. Without objection, House Bill No. 756 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

Present to speak for information only was Ms. Vanessa Caston LaFleur, director of policy & legislative services, Dept. of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 219-2780.

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. 756 is available upon request.

**House Bill No. 776 by Representative Abramson**

Ms. Kimberly Robinson, secretary, Dept. of Revenue, presented House Bill No. 776, which provides for remittance of sales and use tax under protest.

There was no further discussion on the bill.

Representative Abramson offered a motion to report House Bill No. 776 favorably. Without objection, House Bill No. 776 was reported favorably by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

Present to speak for information only was Mr. David Hansen, policy services division, Dept. of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 219-2780.

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. 776 is available upon request.

#### **House Bill No. 695 by Representative Broadwater**

Representative Broadwater presented House Bill No. 695, which provides relative to the types of debt the office of debt recovery is charged with collecting.

There was no further discussion on the bill.

Representative Abramson offered a motion to voluntarily defer action on House Bill No. 695. Without objection, action on House Bill No. 695 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, and Willmott voted yea.

Present to speak for information only were Mr. Jarrod J. Coniglio, Office of Debt Recovery, and Ms. Kimberly Robinson, secretary, Dept. of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 341-9122.

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. 695 is available upon request.

#### **House Bill No. 783 by Representative Abramson**

Representative Abramson presented House Bill No. 783, which relative to the Louisiana Quality Jobs Program.

Representative Jay Morris offered amendments to require the appropriate local governing authority to approve applications for a rebate of local sales and use tax and require that the approval accompany the request for the rebate of the local sales and use tax; require applications for the tax rebate or the project facility expense rebate to be filed within a certain period of time. For sales and use tax rebates, provide an alternate application deadline for certain businesses; requires properly completed requests to be submitted electronically unless the secretary authorizes an alternate method of submission; provides for the payment, audit, and withholding certain rebate amounts; provide for

extensions; require a local governing authority to review a request for local sales and use tax rebate and provide for local rebate procedures relative to payments and withholding certain rebate amounts; authorize interest payments by the local governing authority; provide for collection of rebates issued when the terms of the contract are violated.

Representative Jay Morris offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, and Willmott voted yea.

There was no further discussion on the bill.

Representative Jay Morris offered a motion to report House Bill No. 783 with amendments. Without objection, House Bill No. 783 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, and Willmott voted yea.

Present to speak for information only was Ms. Mandi Mitchell, assistant secretary, La. Economic Development, 1051 North 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 House Bill No. 783 is available upon request.

#### **House Bill No. 794 by Representative Abramson**

Representative Abramson presented House Bill No. 794, which provides relative to the Competitive Projects Payroll Incentive Program.

Representative Abramson offered amendments to change the termination date of the program in present law from July 1, 2017 to July 1, 2018. Representative Abramson offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Representative Abramson offered a motion to report House Bill No. 794 with amendments. Without objection, House Bill No. 794 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Ivey, Jay Morris, Jim Morris, Thibaut, and Willmott voted yea.

Present to speak for information only was Ms. Mandi Mitchell, assistant secretary, La. Economic Development, 1051 North 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 House Bill No. 794 is available upon request.

#### **House Bill No. 772 by Representative Abramson**

Representative Abramson presented House Bill No. 772, which provides relative to contracts for procurement processing company rebates.

Representative Abramson offered amendments to delete all proposed law in the original bill, and change the agency head authorized to enter into contracts for procurement processing company rebate contracts from the secretary of the DED to the secretary of the DOR. Representative Abramson offered a motion to adopt the amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

There was no further discussion on the bill.

Representative Abramson offered a motion to report House Bill No. 772 with amendments. Without objection, House Bill No. 772 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, James, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

Present to speak for information only was Ms. Mandi Mitchell, assistant secretary, La. Economic Development, 1051 North Third Street, Baton Rouge, LA 70802, (225) 342-3000, and Ms. Kimberly Robinson, secretary, Dept. of Revenue, 617 North Third Street, Baton Rouge, LA 70802, (225) 219-4059.

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. 794 is available upon request.

#### **IV. OTHER BUSINESS**

There was no other business.

#### **V. ANNOUNCEMENTS**

Chairman Abramson made the following announcement prior to the discussion of legislation:

"Last year, Senator Morrell passed a bill that mandates our committee and the Senate comparable committee, Rev and Fisc, study certain credits. It wasn't as broad as I originally thought it was. It only encompasses ten credit programs. During our special session we realized that we need to go in and look at all the exemptions, credits, deductions and everything, particularly before we get to the session in 2017, which will be a fiscal session. So, for our part of that, because there are so many of them, in the tax exemption budget, we are going to take written testimony first and then we'll proceed with hearings in due course. So at the end of every committee agenda, from now on you will see that we have a statement saying, "We are now accepting written testimony regarding any tax expenditure, including the tax exemption budget whether it's involving individual income tax, corporate tax, corporate franchise tax, alcohol, tobacco, severance, petroleum products, sales and use tax, etc." Anybody who has a particular exemption, credit, or deduction that you think is important, we need you to go online and we point out here where you can find the form. We are trying to do this effectively and efficiently as possible. We want to collect the written testimony. I'm going to put all the written testimony together for each committee member and anybody who'd like to have one, as opposed to setting a hearing to come testify. We'll collect it all in written form first, and then we'll go from there. The deadline for submitting the testimony is April 30, 2016. So anybody who has any of these matters in the tax exemption budget that's important to you, please make sure that you fill out the form by written testimony to the committee, because we know that this is going to be a very important issue as we continue our budget reform as we go along."

## **VI. ADJOURNMENT**

Representative Abramson offered a motion to adjourn. Without objection, the motion to adjourn passed by a vote of 14 yeas and 0 nays. Representatives Abramson, Bouie, Broadwater, Davis, DeVillier, Dwight, Hilferty, Horton, James, Jay Morris, Jim Morris, Stokes, Thibaut, and Willmott voted yea.

The meeting was adjourned at 11:54 a.m.

Respectfully submitted,

Chairman Neil C. Abramson  
House Committee on Ways and Means