

House Committee on Ways and Means

Minutes of Meeting
2020 Regular Session
May 26, 2020

I. CALL TO ORDER

Representative Stuart J. Bishop, chairman of the House Committee on Ways and Means, called the meeting to order at 9:09 a.m. in Room 4, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

MEMBERS PRESENT:

Representative Stuart J. Bishop, chairman
Representative Gerald "Beau" Beaulieu, IV
Representative Ryan Joseph Bourriaque
Representative Marcus Anthony Bryant
Representative Rhonda Gaye Butler
Representative Les Farnum
Representative Barry Ivey
Representative Wayne McMahan
Representative Buddy Mincey, Jr.
Representative Tammy T. Phelps
Representative Neil Riser
Representative John M. Stefanski, vice chairman
Representative Matthew Willard
Representative Mark Wright

MEMBERS ABSENT:

Representative Jason Hughes
Representative Jeremy S. LaCombe
Representative Malinda B. White

STAFF MEMBERS PRESENT:

Brittany Lea, committee administrative assistant
Mark Mahaffey, deputy director
Alison Pryor, senior attorney
Catherine Zeringue, attorney

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms

Alvin Judson, sergeant at arms

III. DISCUSSION OF LEGISLATION**Senate Bill No. 396 by Senator Abraham**

Senator Abraham presented Senate Bill No. 396, which authorizes and provides for cooperative endeavor agreements between local governmental subdivisions and other entities that may require payments in lieu of ad valorem taxes.

Representative Bourriaque offered amendments which removes provisions requiring approval from the State Bond Commission. Representative Bourriaque offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 10 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Farnum, Ivey, McMahan, Mincey, Phelps, Stefanski, and Willard voted yea.

Mr. Edgar Cage, Together Louisiana, 4302 Melban Street, Baker, LA 70714, (225) 274-5808, spoke in opposition to Senate Bill No. 396.

Representative Beaulieu offered a motion to report Senate Bill No. 396 with amendments. Without objection, Senate Bill No. 396 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, Ivey, McMahan, Mincey, Phelps, Riser, Stefanski, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 1 in opposition. Witness cards are included in the committee records.

Senate Bill No. 272 by Senator Abraham

Senator Abraham presented Senate Bill No. 272, a constitutional amendment to establish an ad valorem tax exemption for property subject to a cooperative endeavor agreement requiring the property owner to make payments in lieu of taxes.

Representative Stefanski offered amendments which change ballot language. Representative Stefanski offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 13 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, Ivey, McMahan, Mincey, Phelps, Riser, Stefanski, and Willard voted yea.

Representative Beaulieu offered a motion to report Senate Bill No. 272 with amendments. Without objection, Senate Bill No. 272 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, Ivey, McMahan, Mincey, Phelps, Riser, Stefanski, and Willard voted yea.

Mr. Edgar Cage, Together Louisiana, 4302 Melban Street, Baker, LA 70714, (225) 274-5808, spoke in opposition to Senate Bill No. 272.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 1 in opposition. Witness cards are included in the committee records.

Senate Bill No. 334 by Senator Allain

Senator Allain presented Senate Bill No. 334, which provides for the funding of the operations of the Department of Revenue.

Representative Stefanski in the chair

Secretary Kimberly Robinson, Louisiana Department of Revenue, P.O. Box 66258, Baton Rouge, LA 70896, (225) 219-4059, spoke for information only on Senate Bill No. 334.

Representative Beaulieu offered amendments which: (1) remove requirements that the penalty waiver be submitted to the board for review and approval; (2) clarify that the proposed law is not intended to expand the jurisdiction of the board to reconsider or review the state collector's discretionary functions related to penalties or to constrain the board's jurisdiction in a matter concerning whether a penalty is due under facts and law; (3) change the presumption of willful intent to disregard when a taxpayer fails to timely remit tax withheld or collected from others absent a showing of good cause; (4) change the effective date of when collection actions taken by the secretary shall be subject to the penalties provided for in proposed law from all tax periods beginning July 1, 2020, to all tax periods beginning January 1, 2021.

Representative Beaulieu offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Ivey, McMahan, Mincey, Phelps, Stefanski, Willard, and Wright voted yea.

Representative Bishop offered a motion to report Senate Bill No. 334 with amendments. Without objection, Senate Bill No. 334 was reported with amendments by a vote of 12 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, McMahan, Mincey, Phelps, Riser, Stefanski, Willard, and Wright voted yea.

Representative Bishop in the chair

Senate Bill No. 423 by Senator White

Representative Edmonds, co-author, presented Senate Bill No. 423, which provides for the city of St. George Transition District.

Ms. Sheri Morris, counsel for the petitioners of St. George incorporation, 8480 Bluebonnet Boulevard, Suite F, Baton Rouge, LA 70810, (225) 421-1800, spoke for information only on Senate Bill No. 423.

Senator White, author of Senate Bill No. 423, joined Representative Edmonds at the witness table to speak on behalf of the measure.

Mayor Sharon Weston Broome, 222 St. Louis Street, Baton Rouge, LA 70802, (225) 389-5100, spoke in opposition to Senate Bill No. 423 and presented a letter to House Ways and Means Committee members, Exhibit A, which is included in the committee records.

Ms. Mary Pierson, P.O. Box 14647, Baton Rouge, LA 70898, (225) 927-6765, spoke in opposition to Senate Bill No. 423.

Representative Phelps offered a motion to recommit Senate Bill No. 423 to the House Municipal, Parochial and Cultural Affairs Committee, to which Representative Stefanski objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 1 yea and 13 nays. Representative Phelps voted yea. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, Ivey, McMahan, Mincey, Riser, Stefanski, Willard, and Wright voted nay.

Representative Denise Marcelle, 1824 N. Acadian Thruway W., Baton Rouge, LA 70802, (225) 359-9362, spoke in opposition to the House clerk's recommittal of Senate Bill No. 423 from House Municipal, Parochial and Cultural Affairs Committee to House Ways and Means Committee.

Representative Ivey offered a motion to report Senate Bill No. 423 favorably, to which Representative Phelps objected. The administrative assistant called the roll, and Senate Bill No. 423 was reported favorably by a vote of 12 yeas and 2 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, Ivey, McMahan, Mincey, Riser, Stefanski, and Wright voted yea. Representatives Phelps and Willard voted nay.

Witness cards submitted by individuals who did not speak are as follows: 2 in support and 2 in opposition. Witness cards are included in the committee records.

IV. OTHER BUSINESS

COMMITTEE ROOM 3 TO BE USED FOR OVERFLOW

V. ANNOUNCEMENTS

Persons who do not feel comfortable giving testimony in person at this time may submit a prepared statement in accordance with House Rule 14.33 in lieu of appearing before the committee:

A. Any interested person or any committee member may file with the committee a prepared statement concerning a specific instrument or matter under consideration by the committee or concerning any matter within the committee's scope of authority, and the committee records shall reflect receipt of such statement and the date and time thereof.

B. Any person who files a prepared statement which contains data or statistical information shall include in such prepared statement sufficient information to identify the source of the data or statistical information. For the purposes of this Paragraph, the term "source" shall mean a publication, website, person, or other source from which the data or statistical information contained in the prepared statement was obtained by the person or persons who prepared the statement.

NOTE: Only statements mailed to leab@legis.la.gov and received prior to 12 noon, Sunday, May 24, will be included in the record for this committee meeting. All persons desiring to participate in the meeting shall utilize appropriate protective health measures and observe the recommended and appropriate social distancing.

VI. ADJOURNMENT

Representative Mincey offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, Ivey, McMahan, Mincey, Phelps, Riser, Stefanski, Willard, and Wright voted yea.

The meeting was adjourned at 10:59 a.m.

Respectfully submitted,

Chairman Stuart J. Bishop
House Committee on Ways and Means