

House Committee on Ways and Means

Minutes of Meeting
2020 Second Extraordinary Session
October 5, 2020

I. CALL TO ORDER

Representative Stuart J. Bishop, chairman of the House Committee on Ways and Means, called the meeting to order at 11:33 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 Les Farnum
Representative Jason Hughes
Representative Jeremy S. LaCombe
Representative Wayne McMahan
Representative Buddy Mincey, Jr.
Representative Joseph A. Orgeron
Representative Tammy T. Phelps
Representative Neil Riser
Representative John M. Stefanski, vice chairman
Representative Malinda B. White
Representative Matthew Willard
Representative Mark Wright

MEMBERS ABSENT:

Representative Rhonda Gaye Butler
Representative Barry Ivey

STAFF MEMBERS PRESENT:

Brittany Lea, committee administrative assistant
Alison Pryor, senior attorney
Catherine Zeringue, attorney

ADDITIONAL ATTENDEES PRESENT:

Angela McKnight, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 21 by Representative Zeringue**

Representative Zeringue presented House Bill No. 21, which requires the Coastal Protection and Restoration Authority to administer certain capital outlay projects.

Representative Bishop offered a motion to voluntarily defer action on House Bill No. 21. Without objection, action on House Bill No. 21 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Farnum, LaCombe, Mincey, Orgeron, Phelps, Riser, Stefanski, and Wright voted yea.

House Bill No. 20 by Representative Edmonds

Representative Edmonds presented House Bill No. 20, which provides relative to income tax deduction for certain educational expenses incurred during the COVID-19 pandemic.

Representative Bishop offered amendments which: (1) delete provisions extending the deduction to tuition and mandatory fees for a student who transferred to an approved nonpublic elementary or secondary school that offered in-person educational services; (2) add definition for "in-person facilitator of virtual education"; and (3) add prohibition against expenses claimed by a taxpayer pursuant to proposed law from being eligible for other educational expense deductions provided for in present law.

Representative Bishop 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, Bryant, Farnum, Mincey, Orgeron, Riser, Stefanski, and Wright voted yea.

Secretary Kimberly Robinson, Louisiana Department of Revenue, P.O. Box 66258, Baton Rouge, LA 70896, (225) 219-4059, spoke for information only on House Bill No. 20.

Representative Bishop offered a motion to report House Bill No. 20 with amendments. Without objection, House Bill No. 20 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bryant, Farnum, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, Stefanski, White, Willard, and Wright voted yea.

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

House Bill No. 29 by Representative DeVillier

Representative DeVillier presented House Bill No. 29, which suspends severance taxes on production from certain oil wells.

Representative Stefanski offered amendments which: (1) make changes to the title; (2) add provisions defining the terms "well cost" and "operating costs"; (3) add provisions relative to payment of interest on a refund of severance tax to an operator whose well qualifies for the exemption; and (4) make technical changes. 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, Bourriaque, Bryant, Farnum, LaCombe, McMahan, Mincey, Orgeron, Phelps, Stefanski, White, Willard, and Wright voted yea.

Representative Stefanski in the chair

Mr. Tyler Gray, president and general counsel, Louisiana Mid-Continent Oil and Gas Association (LMOGA), 730 North Boulevard, Baton Rouge, LA 70802, spoke in support of House Bill No. 29.

Mr. Mike Moncla, interim president, Louisiana Oil and Gas Association, 1331 Lakeridge Drive, Baton Rouge, LA 70802, (225) 388-9525, spoke in support of House Bill No. 29.

Representative Mincey offered in-concept amendments to change the applicability of the exemption to wells in which production begins on or before December 1, 2025, to on or before December 1, 2024. Representative Mincey offered a motion to adopt the proposed amendments, to which Representative Stefanski objected. The administrative assistant called the roll, and the motion failed to pass by a vote of 6 yeas and 10 nays. Representatives Bryant, Hughes, Mincey, Phelps, White, and Willard voted yea. Representatives Bishop, Beaulieu, Bourriaque, Farnum, LaCombe, McMahan, Orgeron, Riser, Stefanski, and Wright voted nay.

Representative Bishop in the chair

Mr. Edgar Cage, Together Louisiana, 4302 Melban Street, Baker, LA 70714, (225) 274-5808, spoke in opposition to House Bill No. 29.

Ms. Lady Carlson, Together Louisiana, 7640 Lassalle Avenue, Baton Rouge, LA 70806, (318) 880-7373, spoke in opposition to House Bill No. 29.

Representative Stefanski offered a motion to report House Bill No. 29 with amendments, to which Representative Phelps objected. The administrative assistant called the roll, and House Bill No. 29 was reported with amendments by a vote of 14 yeas and 2 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Riser, Stefanski, White, and Wright voted yea. Representatives Phelps and Willard voted nay.

Witness cards submitted by individuals who did not speak are as follows: 3 in support. Witness cards are included in the committee records.

House Bill No. 25 by Representative Farnum

Representative Farnum presented House Bill No. 25, which expands the Louisiana New Markets Jobs Act tax credit to certain recovery zones.

Representative Bishop offered a motion to report House Bill No. 25 favorably. Without objection, House Bill No. 25 was reported favorably by a vote of 11 yeas and 0 nays. Representatives Bishop, Beaulieu, Bryant, Farnum, Hughes, McMahan, Orgeron, Phelps, Riser, Willard, and Wright voted yea.

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

Senate Bill No. 14 by Senator Johns

On behalf of Senator Johns, Representative Farnum presented Senate Bill No. 14, which expands the Louisiana New Markets Jobs Act tax credit to certain recovery zones.

Representative Bishop offered a motion to report Senate Bill No. 14 favorably. Without objection, Senate Bill No. 14 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bishop, Beaulieu, Bryant, Farnum, Hughes, McMahan, Orgeron, Phelps, Riser, Stefanski, Willard, and Wright voted yea.

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

House Bill No. 30 by Representative Wright

Representative Wright presented House Bill No. 30, which establishes the Louisiana Re-shoring Incentive Program.

Representative Wright offered a motion to voluntarily defer action on House Bill No. 30. Without objection, action on House Bill No. 30 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bishop, Beaulieu, Bryant, Hughes, McMahan, Orgeron, Phelps, Riser, Stefanski, Willard, and Wright voted yea.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 1 in support. Copies of these statements are included in the committee records.

House Bill No. 26 by Representative Schexnayder

On behalf of Representative Schexnayder, Representative White presented House Bill No. 26, which establishes a sales tax holiday to provide relief for recovery as a result of Hurricane Laura and the COVID-19 pandemic.

Representative White offered amendments to delete authorization for the governing authority of a political subdivision to establish a local sales tax holiday during the same time period as the state sales tax holiday. Representative White offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Bishop, Beaulieu, Bryant, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yea.

Representative White offered a motion to report House Bill No. 26 with amendments. Without objection, House Bill No. 26 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bishop, Beaulieu, Bryant, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yea.

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

House Bill No. 37 by Representative Beaulieu

Representative Beaulieu presented House Bill No. 37, which authorizes an income tax credit for certain businesses whose operations were interrupted as a result of the COVID-19 pandemic.

Representative Beaulieu offered amendments which: (1) add provisions relative to the claiming of the credit provided for in proposed law; and (2) add requirement that proposed law is applicable to income taxable periods beginning on or after January 1, 2020. Representative Beaulieu offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, McMahan, Mincey, Orgeron, Phelps, Riser, Stefanski, and Willard voted yea.

Representative Mincey offered amendments to decrease the number of years unused amounts of tax credits may be carried forward from five to three. Representative Mincey offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 11 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, McMahan, Mincey, Orgeron, Phelps, Riser, Stefanski, and Willard voted yea.

Representative Beaulieu offered a motion to report House Bill No. 37 with amendments. Without objection, House Bill No. 37 was reported with amendments by a vote of 11 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, McMahan, Mincey, Orgeron, Phelps, Riser, Stefanski, and Willard voted yea.

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

House Bill No. 78 by Representative Beaulieu

Representative Beaulieu presented House Bill No. 78, which authorizes agreements between political subdivisions and taxpayers that may provide for certain payments in lieu of ad valorem taxes.

Representative Stefanski in the chair

Mr. Tyler Gray, president and general counsel, Louisiana Mid-Continent Oil and Gas Association (LMOGA), 730 North Boulevard, Baton Rouge, LA 70802, spoke in support of House Bill No. 29.

Mr. Edgar Cage, Together Louisiana, 4302 Melban Street, Baker, LA 70714, (225) 274-5808, spoke in opposition to House Bill No. 78.

Ms. Lady Carlson, Together Louisiana, 7640 Lassalle Avenue, Baton Rouge, LA 70806, (318) 880-7373, spoke in opposition to House Bill No. 78.

Representative Bishop in the chair

Representative Stefanski offered a motion to report House Bill No. 78 favorably, to which Representative Phelps objected. The administrative assistant called the roll, and House Bill No. 78 was reported favorably by a vote of 8 yeas and 6 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Farnum, McMahan, Orgeron, and Stefanski voted yea. Representatives LaCombe, Mincey, Phelps, Riser, White, and Willard voted nay.

Witness cards submitted by individuals who did not speak are as follows: 4 in support. Witness cards are included in the committee records.

House Concurrent Resolution No. 11 by Representative Schexnayder

On behalf of Representative Schexnayder, Representative Stefanski presented House Concurrent Resolution No. 11, which suspends the Procurement Processing Company Rebate Program.

Representative Stefanski offered a motion to report House Concurrent Resolution No. 11 favorably. Without objection, House Concurrent Resolution No. 11 was reported favorably by a vote of 12 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Farnum, LaCombe, Mincey, Orgeron, Phelps, Riser, Stefanski, and White voted yea.

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: Statements emailed to leab@legis.la.gov and received prior to noon on Sunday, October 4, 2020, will be distributed to the committee members prior to the meeting.

VI. ADJOURNMENT

Representative Orgeron offered a motion to adjourn. Without objection, the motion passed by a vote of 12 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Farnum, LaCombe, Mincey, Orgeron, Phelps, Riser, Stefanski, and White voted yea.

The meeting was adjourned at 2:00 p.m.

Respectfully submitted,

Chairman Stuart J. Bishop
House Committee on Ways and Means