

House Committee on Ways and Means

Minutes of Meeting
2021 Regular Session
April 19, 2021

I. CALL TO ORDER

Representative Stuart J. Bishop, chairman of the House Committee on Ways and Means, called the meeting to order at 9:00 a.m. in Room 6, 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 Bourriaque
Representative Rhonda Gaye Butler
Representative Phillip R. DeVillier
Representative Les Farnum
Representative Jason Hughes
Representative Jeremy S. LaCombe
Representative Tanner D. Magee, ex officio
Representative Wayne McMahan
Representative Buddy Mincey, Jr.
Representative Joseph A. Orgeron
Representative Tammy T. Phelps
Representative Neil Riser
Representative Malinda B. White
Representative Matthew Willard
Representative Mark Wright

MEMBERS ABSENT:

Representative Marcus Anthony Bryant
Representative Barry Ivey

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Janet Anthony, sergeant at arms
Angela McKnight, sergeant at arms

III. DISCUSSION OF LEGISLATION**House Bill No. 278 by Representative Bishop*****Representative Riser in the chair***

On behalf of Representative Bishop, Senator Allain presented House Bill No. 278, which reduces the tax rates for purpose of calculating individual income tax liability and eliminates and modifies certain income tax deductions.

Chairman Bishop in the chair

Secretary Kimberly L. Robinson, Louisiana Department of Revenue (DOR), P.O. Box 66258, Baton Rouge, LA 70896, (225) 219-4059, spoke for information only on House Bill No. 278.

Representative Bishop offered technical amendments. Representative Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 15 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Butler, DeVillier, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, Willard, and Wright voted yea.

Mr. Robert Travis Scott, Public Affairs Research Council of Louisiana (PAR), 450 Laurel Street, Baton Rouge, LA 70801, (225) 926-8414, spoke in support of House Bill No. 278 and presented a PowerPoint, "*Louisiana Upper Rate Income Tax Comparisons Nationwide*", Exhibit A, which is included in the committee records.

Ms. Dawn McVea, National Federation of Independent Business (NFIB), 301 Main Street, Suite 2250, Baton Rouge, LA 70808, (225) 287-4626, spoke in support of House Bill No. 278.

Mr. Daniel Erspamer, Pelican Institute for Public Policy, 400 Poydras Street, Suite 900, New Orleans, LA 70130, (504) 439-8641, spoke in support of House Bill No. 278.

Mr. Jan Moller, Louisiana Budget Project (LBP), 619 Jefferson Highway, Suite 1-D, Baton Rouge, LA 70806, (225) 819-7715, spoke for information only on House Bill No. 278.

Representative Riser in the chair

Representative Riser offered a motion to report House Bill No. 278 with amendments. Without objection, House Bill No. 278 was reported with amendments by a vote of 14 yeas and 0 nays.

Representatives Bishop, Beaulieu, Bourriaque, Butler, Farnum, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yea.

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

House Bill No. 274 by Representative Bishop

Representative Bishop presented House Bill No. 274, a constitutional amendment which provides for the rates and brackets for purposes of calculating income taxes and limits the mandatory deduction for federal income taxes paid to corporate income taxes. Senator Allain spoke in sponsorship of the measure.

Representative Riser offered a motion to report House Bill No. 274 favorably. Without objection, House Bill No. 274 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Butler, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, 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.

House Bill No. 171 by Representative Zeringue

Representative Zeringue presented House Bill No. 171, which changes the rates and brackets for purposes of calculating individual income tax liability and eliminates certain deductions and credits and provided a handout, Exhibit B, which is included in the committee records.

Representative Riser offered amendments which: (1) add repeal of the deduction for federal income taxes paid for purposes of calculating corporate income taxes to the repeal in proposed law of the deduction for purposes of calculating individual income tax and income tax on estates and trusts; (2) reduce the annual cap on motion picture production tax credits awarded in final certification letters by DED from \$150M to \$75M per fiscal year and reduce the annual cap on the amount of tax credits that may be claimed on tax returns from \$180M to \$90M each fiscal year; and (3) specify that House Bill No. 207 is the proposed constitutional amendment to which the effectiveness of House Bill No. 171 is tied. Representative Riser offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Beaulieu, Bourriaque, Butler, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Riser, White, and Willard voted yea.

Chairman Bishop in the chair

Mr. David Tatman, Louisiana Film Entertainment Association, 3043 Old Forge Drive, Baton Rouge, LA 70808, (225) 767-7640, spoke in opposition to House Bill No. 171.

Representative Bishop offered a motion to report House Bill No. 171 with amendments. Without objection, House Bill No. 171 was reported with amendments by a vote of 14 yeas and 0 nays. Representatives Bishop, Bourriaque, Butler, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 4 in opposition. Witness cards are included in the committee records.

House Bill No. 207 by Representative Zeringue

Representative Zeringue presented House Bill No. 207, a constitutional amendment which provides for the rates and brackets for purposes of calculating income taxes and eliminates the mandatory deduction for federal income taxes paid for purposes of computing income taxes.

Mr. David Lindenfeld, Together Baton Rouge, 4454 Newcomb Drive, Baton Rouge, LA 70808, (225) 766-1983, spoke in support of House Bill No. 207.

Representative Bishop offered a motion to report House Bill No. 207 favorably. Without objection, House Bill No. 207 was reported favorably by a vote of 14 yeas and 0 nays. Representatives Bishop, Bourriaque, Butler, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 6 in support. Witness cards are included in the committee records.

House Bill No. 445 by Representative Bourriaque

Representative Bourriaque presented House Bill No. 445, which changes the sound recording investor tax credit into a refundable tax credit.

Representative Bourriaque offered technical amendments. Representative Bourriaque 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, Butler, Farnum, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yeas.

Representative Bourriaque offered a motion to report House Bill No. 445 with amendments. Without objection, House Bill No. 445 was reported with amendments by a vote of 13 yeas and 0 nays. Representatives Bishop, Bourriaque, Butler, Farnum, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yeas.

Witness cards submitted by individuals who did not speak are as follows: 6 in support and 1 in opposition. Witness cards are included in the committee records.

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.

The committee recessed at 10:45 a.m. The committee reconvened at 10:48 a.m.

House Bill No. 529 by Representative Landry

Representative Landry presented House Bill No. 529, which adds additional rates and brackets for purposes of calculating individual income tax liability and provided a handout, Exhibit C, which is included in the committee records.

Ms. Neva Butkus, Louisiana Budget Project (LBP), 619 Jefferson Highway, Baton Rouge, LA 70806, (225) 614-9126, spoke in support of House Bill No. 529.

Representative Willard offered a motion to report House Bill No. 529 favorably, to which Representative Wright objected. Representative Wright offered a substitute motion to involuntarily defer action on House Bill No. 529. The administrative assistant called the roll, and action on House Bill No. 529 was involuntarily deferred by a vote of 8 yeas and 6 nays. Representatives Bishop, Bourriaque, Butler, McMahan, Mincey, Orgeron, Riser, and Wright voted yea. Representatives Farnum, Hughes, LaCombe, Phelps, White, and Willard voted nay.

Witness cards submitted by individuals who did not speak are as follows: 8 in support and 3 in opposition. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 19 in support. Copies of these statements are included in the committee records.

House Bill No. 441 by Representative Landry

On behalf of Representative Landry, Representative Bishop offered a motion to voluntarily defer action on House Bill No. 441, a constitutional amendment which provides for the rates and brackets for purposes of calculating individual income tax and the deduction for federal income taxes paid when calculating income tax liability. Without objection, action on House Bill No. 441 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Bishop, Bourriaque, Butler, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yea.

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

IV. OTHER BUSINESS

There was no other business.

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 hwmc@legis.la.gov and received prior to noon on Friday, April 16, 2021, will be distributed to the committee members prior to the 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 Willard offered a motion to adjourn. Without objection, the motion passed by a vote of 14 yeas and 0 nays. Representatives Bishop, Bourriaque, Butler, Farnum, Hughes, LaCombe, McMahan, Mincey, Orgeron, Phelps, Riser, White, Willard, and Wright voted yea.

The meeting was adjourned at 11:09 a.m.

Respectfully submitted,

Chairman Stuart J. Bishop
House Committee on Ways and Means