

## **HOUSE COMMITTEE ON WAYS AND MEANS**

Minutes of Meeting  
2012 Regular Session  
Tuesday, April 24, 2012

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

Representative Joel C. Robideaux, chairman of the House Committee on Ways and Means, called the meeting to order at 10:12 a.m. in House Committee Room 6 of the State Capitol, Baton Rouge, Louisiana. The secretary called the roll.

### **II. ROLL CALL**

#### **Members Present:**

Representative Joel C. Robideaux, Chairman  
Representative Patrick C. Williams, Vice Chairman  
Representative Bryan Adams  
Representative Taylor F. Barras  
Representative Regina Ashford Barrow  
Representative Wesley T. Bishop  
Representative Christopher Broadwater  
Representative Richard T. Burford  
Representative Michael E. Danahay  
Representative Mickey J. Guillory  
Representative Frank A. Hoffmann  
Representative Robert A. Johnson  
Representative Eddie J. Lambert  
Representative Nick Lorusso  
Representative Harold L. Ritchie  
Representative Major Thibaut  
Representative Lenar L. Whitney  
Representative Thomas P. Willmott

#### **Members Absent:**

Representative Lowell C. Hazel

#### **Staff Members Present:**

Ms. Alison Pryor, Committee Attorney  
Ms. Elise Read, Committee Analyst  
Ms. Karen Stephens, Committee Secretary  
Ms. Amy Robinson, Sergeant at Arms

### **III. DISCUSSION OF LEGISLATION**

Representative Robideaux announced that action on House Bill No. 1082 was voluntarily deferred.

#### **House Bill No. 648 by Representative Patrick Williams**

Representative Patrick Williams presented House Bill No. 648, which was amended by the committee on Tuesday, April 17, 2012, with the adoption of a substitute bill to exempt prescription drugs and pharmacists services from local sales and use taxes, beginning January 1, 2014.

Representative Barrow offered a set of amendments to phase-in the mandatory exemption. She also offered a motion to adopt the amendments, to which Representative Wesley Bishop objected. The secretary called the roll and the amendments were adopted by a vote of 14 yeas and 3 nays. Those voting yea were Representatives Barras, Barrow, Broadwater, Burford, Guillory, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott. Representatives Adams, Wesley Bishop, and Danahay voted nay.

There was no further discussion on the bill.

Representative Patrick Williams offered a motion to report House Bill No. 648 by substitute, to which Representative Ritchie objected. House Bill No. 648 was reported by substitute by a vote of 16 yeas and 1 nay. Those voting yea were Representatives Adams, Barras, Barrow, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hoffmann, Johnson, Lorusso, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott. Representative Ritchie voted nay.

Present to speak in support were Mr. Randal Girourad, representing Rayne Pharmacy, 713 Curtis Drive, Rayne, LA 70578, (337) 334-5105 and Mr. Robert Reiger, representing Adams and Reese, L.L.P., 450 Laurel Street, Suite 1900, Baton Rouge, LA 70801, (225) 336-5200.

Present to speak in opposition were Mr. Rodney Braxton, representing the city of New Orleans, 543 Spanish Town Road, Baton Rouge, LA 70802, (225) 806-7522; Mr. George Marretta and Mr. Dan Garrett, representing the Louisiana Municipal Association, 700 N. 10<sup>th</sup> Street, Baton Rouge, LA 70821, (225) 344-5001; Mr. Roland Dartez, representing the Police Jury Association, 707 N. Seventh Street, Baton Rouge, LA 70802, (225) 343-2835; Mr. Stacy Birdwell, representing the Professional Fire Fighters, 9021 Aurora Lane, Shreveport, LA 71115, (319) 420-1318; Mr. Nick Felton, representing the New Orleans Fire Fighters, 3520 General De Gaulle, New Orleans, LA, (504) 366-8564; and Ms. Barbara Davis, representing the Louisiana Association of Tax Administrators, 14553 Mora Drive, Baton Rouge, LA 70819, (225) 892-2053.

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 the bill is attached. (See Exhibit "A")

**House Bill No. 1106 by Representative Katrina Jackson**

Representative Katrina Jackson presented House Bill No. 1106, which would authorize a rebate for donations to certain public schools.

Representative Robideaux offered a set of amendments to add eligibility of donations to public schools which received a letter grade of "B" for the rebate and authorize the rebate amount for such donations to be equal to 25% of the donation; add purposes for which donations will be used by the public school; and add a requirement for the receipt issued by the public school to include certification by the school that donations will be used for one of the authorized purposes set forth in proposed law. He also offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 13 yeas and 0 nays. Those voting yeas were Representatives Adams, Wesley Bishop, Broadwater, Burford, Guillory, Hoffmann, Johnson, Lorusso, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Wesley Bishop offered a motion to report House Bill No. 1106 with amendments, to which there was no objection. House Bill No. 1106 was reported with amendments by a vote of 16 yeas and 0 nays. Those voting yeas were Representatives Adams, Barras, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hoffmann, Johnson, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

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 the bill is attached. (See Exhibit "B")

**House Bill No. 1076 by Representative Seabaugh**

On behalf of Representative Seabaugh, Representative Thompson presented House Bill No. 1076, which would require that charges imposed by contractors retained for the collection of taxes due to the Department of Revenue (DOR) be deducted from the total amount of money collected from a tax debtor.

There was no further discussion on the bill.

Representative Robideaux offered a motion to involuntarily defer action on House Bill No. 1076, to which there was no objection. Action on House Bill No. 1076 was involuntarily deferred by a vote of 16 yeas and 0 nays. Those voting yeas were Representatives Barras, Barrow, Wesley Bishop, Burford, Danahay, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Present to provide information was Mr. Jason DeCuir, chief of staff of the DOR, 617 N. Third Street, Baton Rouge, LA 70802, (225) 219-4059.

**Senate Bill No. 60 by Senator Riser**

On behalf of Senator Riser, Representative Robideaux presented Senate Bill No. 60, which would provide relative to the payment of certain insurance premium cost for certain retired assessors and assessors' employees in Caldwell and Lincoln parishes.

There was no further discussion on the bill.

Representative Robideaux offered a motion to report Senate Bill No. 60 favorably, to which there was no objection. Senate Bill No. 60 was reported favorably by a vote of 17 yeas and 0 nays. Those voting yeas were Representatives Barras, Barrow, Wesley Bishop, Broadwater, Burford, Danahay, Guillory, Hoffmann, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

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 the bill is attached. (See Exhibit "C")

**House Bill No. 1120 by Representative Lambert**

Representative Lambert presented House Bill No. 1120, which would exempt resales of services from local sales tax.

Representative Lambert offered a set of amendments to delete the provision of proposed law to change the required level of compliance with rules and regulations necessary to determine whether or not a sale was a sale for resale and add discretion for a tax collector to require a taxpayer to provide a local tax exemption certificate in certain instances. He offered a motion to adopt the amendments, to which there was no objection. The amendments were adopted by a vote of 15 yeas and 0 nays. Those voting yeas were Representatives Barras, Barrow, Wesley Bishop, Burford, Danahay, Guillory, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

There was no further discussion on the bill.

Representative Wesley Bishop offered a motion to report House Bill No. 1120 with amendments, to which there was no objection. House Bill No. 1120 was reported with amendments by a vote of 15 yeas and 0 nays. Those voting yeas were Representatives Barras, Barrow, Wesley Bishop, Burford, Danahay, Guillory, Johnson, Lambert, Lorusso, Ritchie, Robideaux, Thibaut, Whitney, Patrick Williams, and Willmott.

Present to speak in support was Mr. John LeBlanc, representing the Louisiana Association of Business and Industry (LABI), 3113 Valley Creek Drive, Baton Rouge, LA 70808, (225) 928-5388.

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 the bill is attached. (See Exhibit "D")

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

Mr. Paul Rainwater, Commissioner of Administration, and Mr. John Davis, representing the Division of Administration's Office of Facility Planning and Control, gave a presentation on the executive budget recommendations for the FY 2013 capital outlay budget proposed in House Bill No. 2. (See Exhibit "E")

#### **V. ANNOUNCEMENTS**

There were no announcements.

#### **VI. ADJOURNMENT**

Representative Thibaut offered a motion to adjourn the meeting, to which there was no objection. The meeting was adjourned at 12:39 p.m.

Respectfully submitted,

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Joel C. Robideaux

Date approved: \_\_\_\_\_