

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

Minutes of Meeting  
2023 Regular Session  
May 1, 2023

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

Representative Stuart J. Bishop, chairman of the House Committee on Ways and Means, called the meeting to order at 9:16 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, vice chairman  
Representative Ryan Bourriaque  
Representative Marcus Anthony Bryant  
Representative Rhonda Gaye Butler  
Representative Phillip R. DeVillier  
Representative Les Farnum  
Representative Jeremy S. LaCombe  
Representative Mandie Landry  
Representative Tanner D. Magee  
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

#### **MEMBERS ABSENT:**

Representative Laurie Schlegel

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

Brittany Lea, committee administrative assistant  
Drew Murray, legislative analyst  
Alison Pryor, senior attorney

**ADDITIONAL ATTENDEES PRESENT:**

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

**III. DISCUSSION OF LEGISLATION****House Bill No. 634 by Representative McFarland**

Representative McFarland presented House Bill No. 634, which provides relative to a severance tax exemption for deep-well oil and gas production.

Representative Bishop offered amendments which:

1. Specify that the type of production to which present law and proposed law apply in commercial production; and
2. Revise proposed law relative to establishment of the date production begins to stipulate all of the following:
  - (a) The date commercial production begins shall be the first day the well produces into the permanent production equipment and the facilities have been constructed to process and deliver oil or gas to a sales point
  - (b) The date of a drill-stem test, production test, or any other related production shall not be considered, construed, or deemed the date commercial production begins regardless of whether such activities are classified as active production by the Dept. of Natural Resources.

Mr. Mike Moncla, president, Louisiana Oil and Gas Association (LOGA), 1331 Lakeridge Drive, Baton Rouge, Louisiana 70802, (225) 388-9535, spoke in support of House Bill No. 634.

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, Bryant, Butler, DeVillier, Farnum, Landry, McMahan, Mincey, Orgeron, Phelps, Riser, White, and Willard voted yea.

Representative Beaulieu offered a motion to report House Bill No. 634 with amendments. Without objection, House Bill No. 634 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, LaCombe, Landry, McMahan, Mincey, Orgeron, Phelps, Riser, White, and Willard voted yea.

Witness cards submitted by individuals who did not speak are as follows: 5 in support and 1 in opposition. Witness cards are included in the committee records.

### **House Bill No. 638 by Representative McFarland**

Representative McFarland presented House Bill No. 638, which provides relative to tax benefits for adoption of children from foster care and donations to foster care charitable organizations.

Representative Willard offered a motion to report House Bill No. 638 favorably. Without objection, House Bill No. 638 was reported favorably by a vote of 15 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, Farnum, LaCombe, Landry, McMahan, Mincey, Orgeron, Phelps, Riser, White, and Willard voted yea.

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

### **House Bill No. 610 by Representative Jenkins**

Representative Jenkins presented House Bill No. 610, which increases the tax-exempt amount of annual retirement income.

Mr. Kevin Richard, secretary, Louisiana Department of Revenue (DOR), 617 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana 70802, (225) 219-2704, spoke for information only on House Bill No. 610.

Representative Bryant offered a motion to report House Bill No. 610 favorably. Without objection, House Bill No. 610 was reported favorably by a vote of 16 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, McMahan, Mincey, Orgeron, Phelps, Riser, White, and Willard voted yea.

### **House Bill No. 642 by Representative Jenkins**

Representative Jenkins presented House Bill No. 642, which provides relative to sales and use taxation of certain digital products and services.

Representative Bishop offered amendments which: (1) remove inclusion of digital products to the sales tax exemption for retail sales of tangible personal property to a vending machine operator for resale through coin-operated vending machines; (2) change references to "end users" rather than "taxpayers, as a consumer", with respect to the sales of digital products or digital automated services for purposes of the state sales and use tax of such products; (3) remove subscription sales of magazines or periodicals transferred electronically to the buyer from the list of products excluded from the definition of digital products; (4) remove references to digital products to the sales tax holiday as provided in present law (R.S. 47:305.74); (5) remove provisions related to determination

of substantial nexus for purposes of state sales and use taxes; (6) extend the credit for sales and use taxes paid to another state on purchases of tangible personal products to digital products; (7) change the effective date from July 1, 2023, to Jan. 1, 2024; and (8) make technical changes.

Representative Bishop offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 16 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, McMahan, Mincey, Orgeron, Phelps, Riser, White, and Willard voted yea.

Ms. Stacey Greaud, attorney, Louisiana Department of Revenue (DOR), 617 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana 70802, no phone number provided, spoke for information only on House Bill No. 642.

Ms. Mia Strong, confidential assistant to the secretary, Louisiana Department of Revenue (DOR), 617 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana 70802, (225) 219-0845, spoke for information only on House Bill No. 642 and provided a handout, Exhibit A, which is included in the committee records.

Ms. Debbie Vivien, chief economist, Legislative Fiscal Office (LFO), 900 North 3<sup>rd</sup> Street, 18<sup>th</sup> floor, Baton Rouge, Louisiana 70804, (225) 342-7233, spoke for information only on House Bill No. 642.

Representative Willard offered a motion to report House Bill No. 642 with amendments. Without objection, House Bill No. 642 was reported with amendments by a vote of 16 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, McMahan, Mincey, Orgeron, Phelps, Riser, White, and Willard voted yea.

### **House Bill No. 637 by Representative Mincey**

Representative Mincey presented House Bill No. 637, which establishes a tax credit for businesses that invest in certain school programs.

Mr. David Zoller, director of governmental affairs, Baton Rouge Area Chamber (BRAC), 564 Laurel Street, Baton Rouge, Louisiana 70801, (225) 381-7125, spoke in support of House Bill No. 637.

Ms. Julianna Easley, student, Walker High School, 9677 Florida Boulevard, Walker, Louisiana 70785, (225) 380-8427, spoke in support of House Bill No. 637.

Ms. Sasha Caruso, student, Walker High School, 9677 Florida Boulevard, Walker, Louisiana 70785, (225) 209-4394, spoke in support of House Bill No. 637.

Ms. Madison Eymard, student, Walker High School, 9677 Florida Boulevard, Walker, Louisiana 70785, (225) 480-5299, spoke in support of House Bill No. 637.

Mr. Jason St. Pierre, principal, Walker High School, 9677 Florida Boulevard, Walker, Louisiana 70785, (225) 446-8334, spoke in support of House Bill No. 637.

Mr. Ronnie Morris, member, Board of Elementary and Secondary Education (BESE), 1201 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana 70802, (225) 235-8280, spoke in support of House Bill No. 637.

Dr. Sito Narcisse, superintendent, East Baton Rouge Parish School System, 1050 South Foster Drive, Baton Rouge, Louisiana 70806, (412) 589-1812, spoke in support of House Bill No. 637.

Ms. Evon Roquemore, CEO, Bright Enterprise, 106 Business Park Avenue, Denham Springs, Louisiana 70726, (888) 417-5250, spoke in support of House Bill No. 637.

Representative Willard offered a motion to report House Bill No. 637 favorably. After further discussion, Representative Willard withdrew his motion to move House Bill No. 637 favorably. No vote was taken.

Representative Bishop offered a motion to voluntarily defer action on House Bill No. 637. Without objection, action on House Bill No. 637 was voluntarily deferred by a vote of 16 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, 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. Witness cards are included in the committee records.

### **House Bill No. 632 by Representative Knox**

Representative Knox presented House Bill No. 632, which establishes the Next Generation Tax Credit for taxpayers claiming a dependent five years of age or younger.

Mr. Jan Moller, executive director, Louisiana Budget Project (LBP), 619 Jefferson Highway, Suite 1-D, Baton Rouge, Louisiana 70806, (225) 819-7715, spoke in support of House Bill No. 632.

*Representative Bourriaque in the chair.*

Representative Bourriaque offered amendments which: (1) change the name of the credit to the Strengthening Families tax credit; (2) limits the credit to residents; adds a termination date on the credit of December 31, 2027; and (3) deletes provisions of proposed law relative to tax returns used for claiming the credit. Representative Bourriaque offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 12 yeas and 0 nays. Representatives Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, Mincey, Orgeron, Phelps, Riser, and Willard voted yea.

Mr. Peter Robins-Brown, executive director, Louisiana Progress Action, 650 North 6<sup>th</sup> Street, Baton Rouge, Louisiana 70802, (504) 256-8196, spoke in support of House Bill No. 632.

*Representative Beaulieu in the chair.*

Representative Riser offered a motion to voluntarily defer action on House Bill No. 632. Without objection, action on House Bill No. 632 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, Landry, McMahan, Mincey, Orgeron, Riser, and Willard voted yea.

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. 618 by Representative Willard**

Representative Willard presented House Bill No. 618, which provides with respect to the credit and the deduction for taxes paid to other states.

Representative Willard offered amendments to make technical changes. Representative Willard offered a motion to adopt the proposed amendments. Without objection, the amendments were adopted by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, Landry, Magee, McMahan, Mincey, Orgeron, Phelps, and Willard voted yea.

Mr. Luke Morris, deputy secretary, Louisiana Department of Revenue (DOR), 617 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana 70802, (985) 662-8411, spoke for information only on House Bill No. 618.

Representative Willard offered a motion to report House Bill No. 618 with amendments. Without objection, House Bill No. 618 was reported with amendments by a vote of 15 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, McMahan, Mincey, Phelps, Riser, White, 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. 617 by Representative Edmonds**

Representative Edmonds presented House Bill No. 617, which establishes the Life Sciences Investment Tax Credit Program which consists of a Life Sciences Investment Tax Credit and a Life Sciences FDA Medical Device User Fee tax credit.

Mr. David Zoller, director of governmental affairs, Baton Rouge Area Chamber (BRAC), 564 Laurel Street, Baton Rouge, Louisiana 70801, (225) 381-7125, spoke in support of House Bill No. 617.

Mr. Steven Ceulemans, executive director, Baton Rouge Health District, 6400 Perkins Road, Baton Rouge, Louisiana 70808, (225) 362-0394, spoke in support of House Bill No. 617.

Representative Beullieu offered a motion to voluntarily defer action on House Bill No. 617. Without objection, action on House Bill No. 617 was voluntarily deferred by a vote of 11 yeas and 0 nays. Representatives Bishop, Beullieu, Bourriaque, Bryant, DeVillier, LaCombe, Landry, McMahan, Mincey, Riser, and White voted yea.

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

### **House Bill No. 626 by Representative Lyons**

Representative Lyons presented House Bill No. 626, which establishes a tax credit for workers who commute to out-of-state sites for certain jobs that had formerly been located in Louisiana.

Representative Beullieu offered amendments to make technical changes. Representative Beullieu 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, Beullieu, Bourriaque, Bryant, DeVillier, LaCombe, McMahan, Mincey, Riser, and White voted yea.

Representative Bishop offered a motion to voluntarily defer action on House Bill No. 626, to which Representative Bryant objected. Representative Bryant offered a substitute motion to report House Bill No. 626 with amendments, to which Representative Bishop objected. After further discussion, Representative Bryant withdrew his motion to report House Bill No. 626 with amendments. No vote was taken.

The original motion to voluntarily defer action on House Bill No. 626 was considered. Without objection, action on House Bill No. 626 was voluntarily deferred by a vote of 12 yeas and 0 nays. Representatives Bishop, Beullieu, Bourriaque, Bryant, DeVillier, LaCombe, Landry, McMahan, Phelps, Riser, White, and Willard voted yea.

### **House Bill No. 614 by Representative Riser**

Representative Riser presented House Bill No. 614, which establishes the Louisiana Onshore and Offshore Packaged Fire Safety Equipment Income Tax Credit program.

Representative Riser offered a motion to voluntarily defer action on House Bill No. 614. Without objection, action on House Bill No. 614 was voluntarily deferred by a vote of 11 yeas and 0 nays.

Representatives Bishop, Beaulieu, Bourriaque, DeVillier, LaCombe, Landry, McMahan, Phelps, Riser, White, and Willard voted yea.

*Chairman Bishop in the chair.*

**House Bill No. 622 by Representative Beaulieu**

Representative Beaulieu presented House Bill No. 622, which increases the net operating loss deduction allowed for tax year 2023 and thereafter.

Mr. Kevin Richard, secretary, Louisiana Department of Revenue (DOR), 617 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana 70802, (225) 219-2704, spoke for information only on House Bill No. 622.

Mr. Luke Morris, deputy secretary, Louisiana Department of Revenue (DOR), 617 North 3<sup>rd</sup> Street, Baton Rouge, Louisiana 70802, (985) 662-8411, spoke for information only on House Bill No. 622.

*Representative Bourriaque in the chair.*

Mr. Ben Vincent, economist, Legislative Fiscal Office (LFO), 900 North 3<sup>rd</sup> Street, 18<sup>th</sup> floor, Baton Rouge, Louisiana 70804, (225) 342-7233, spoke for information only on House Bill No. 622.

*Chairman Bishop in the chair.*

Representative Beaulieu offered a motion to voluntarily defer action on House Bill No. 622. Without objection, action on House Bill No. 622 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, Mincey, Phelps, Riser, White, and Willard voted yea.

**House Bill No. 612 by Representative Newell**

On behalf of Representative Newell, Representative Bishop offered a motion to voluntarily defer action on House Bill No. 612, which levies taxes on sales of cannabis and dedicates revenues derived from those taxes. Without objection, action on House Bill No. 612 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, Mincey, Phelps, Riser, White, and Willard voted yea.

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



**House Bill No. 620 by Representative Freiberg**

On behalf of Representative Freiberg, Representative Bishop offered a motion to voluntarily defer action on House Bill No. 620, which levies a tax on retail sales of cannabis and dedicates revenues derived from the tax. Without objection, action on House Bill No. 620 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, Mincey, Phelps, Riser, White, and Willard voted yea.

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

**House Bill No. 639 by Representative Freiberg**

On behalf of Representative Freiberg, Representative Bishop offered a motion to voluntarily defer action on House Bill No. 639, which repeals the individual income tax deduction for net capital gains. Without objection, action on House Bill No. 639 was voluntarily deferred by a vote of 14 yeas and 0 nays. Representatives Bishop, Beaulieu, Bourriaque, Bryant, Butler, DeVillier, Farnum, LaCombe, Landry, Mincey, Phelps, Riser, White, and Willard voted yea.

**IV. OTHER BUSINESS**

There was no other business.

**V. ANNOUNCEMENTS**

There were no announcements.

**VI. ADJOURNMENT**

Representative Bourriaque 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, DeVillier, Farnum, LaCombe, Landry, Mincey, Phelps, Riser, White, and Willard voted yea.

The meeting was adjourned at 12:24 p.m.

Respectfully submitted,

Chairman Stuart J. Bishop  
House Committee on Ways and Means