

LOUISIANA TAX COMMISSION

Minutes of Rules & Regulations Public Hearing

Wednesday, January 25, 2023

Louisiana State Capital
Senate Committee Room F
Baton Rouge, Louisiana 70806

View Livestream: <http://legis.la.gov>

COMMISSION MEMBERS PRESENT*

Lawrence Chehardy – Chairman
Sandra Potier – Commission Member
Ben Jeffers – Commission Member
Joey Vercher – Commission Member
Regina Lynch Wood – Commission Member
*constituting a quorum

STAFF PRESENT

Shandrekia Banks – Administrative Program Specialist
Drew Hoffman – Special Counsel to the Commission
Michael Matherne – Tax Commission Administrator
Rajesh Jain – Tax Commission Director

OTHERS PRESENT

Bob Adair – Louisiana Mid-Continent Oil & Gas Association
Jim Patterson- LABI
Daron Fredrickson- LCA
Phyllis Sims- Kean Miller/LCA
Tokesha Collins Wright-LCA

Chairman Chehardy called the meeting to order at 10:03 a.m. and the roll was called.

Chapter 10 (Brine Operation Properties), submitted by Rodney Kret on behalf of the Louisiana Assessor's Association. No one was present on behalf of the Assessor's Association to discuss the submission by Mr. Kret.

Oral Presentation Regarding Written Comments to the 2023 Emergency Rule, Chapter 10 (Brine Operation Properties), Submitted by Daron Fredrickson on behalf of Louisiana Chemical Association.

On behalf of the Louisiana Chemical Association ("LCA") and the Louisiana Chemical Industry Alliance ("LCIA"), Mr. Fredrickson referred the Commission to the statement submitted August 15, 2022 by the same groups. In that statement, they indicated the status quo should be maintained until all the issues surrounding brine mining wells and caverns can be adequately studied. The language used to create the Chapter 10 rules and regulations under consideration in the December 2022 Emergency Rules in the Louisiana Register remains essentially the same as last year. The approach taken by the Commission with the institution of these rules for Chapter 10 and the maintaining of language taken directly from the former Chapter 9 rules and regulations will allow the Louisiana Tax Commission a year for further study of the issue and the chance to develop future new rules supported by both industry and the Louisiana Assessors Association.

Oral Presentation Regarding Written Comments to the 2023 Emergency Rule, LTC Rule §103.A.25, Presented by Jim Patterson and Bob Adair on behalf of Louisiana Mid-Continent Oil and Gas Association.

On behalf of the Louisiana Mid-Continent Oil and Gas Association (LMOGA) and our membership, Mr. Patterson and Mr. Adair respectfully request rescinding the proposed revision for LTC Rule §103.A.25 and request the existing rule remain unchanged for 2023. Until Friday, January 20, 2023, LMOGA had no significant concerns with proposed 2023 LTC rules as published in the December Louisiana Register. However, a decision rendered by the Louisiana Board of Commerce and Industry (BC&I) on Friday negatively impacting a taxpayer that had properly and timely followed the necessary procedures for applying for a constitutional exemption, has raised serious concerns for our industry regarding the proposed revision to LTC Rule §103.A.25.

CLOSING REMARKS BY THE CHAIRMAN AND COMMISSION MEMBERS

There being no further matters to come before the Commission, Commissioner Jeffers moved to adjourn.

There being no objection to the motion, the motion is adopted.

Adjournment

The meeting was adjourned at 10:15 a.m.



Lawrence E. Chehardy, Chairman
District 1



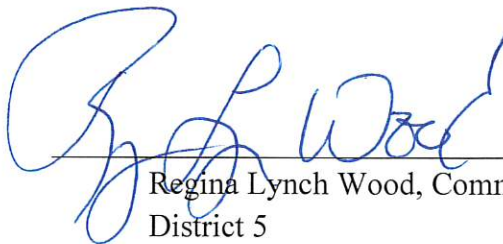
Sandra Potier, Commission Member
District 2



Ben Jeffers, Commission Member
District 3



Joey Vercher, Commission Member
District 4



Regina Lynch Wood, Commission Member
District 5