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LOUISIANA BOARD OF COMMERCE AND INDUSTRY
PUBLIC HEARING, TAKEN IN THE LASALLE BUILDING,
617 NORTH 3RD STREET, LABELLE ROOM, BATON ROUGE,
LOUISIANA, ON JUNE 25, 2018 COMMENCING AT 9:37
A.M.

1 **APPEARANCES OF BOARD MEMBERS:**

2

3 **STEVE WINDHAM**

4 **GLEN BRASSEAU**

5 **DON PIERSON**

6 **MANDI MITCHELL**

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11 **STAFF MEMBERS:**

12 **BRENDA GUESS**

13 **MELISSA SORRELL**

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MR. PIERSON:

Good morning. We would like to formally commence our June 25th public hearing relative to the proposed ITEP rule changes. I thank you-all for coming this morning, and your input in this process has been very important, and we continue to value that as we aggregate the information before the Board's consideration of the adoption of the rules changes.

As you know, this is our second public meeting and we're happy to gather comments today. In order to speak, we ask that you fill out a comment card and be certain that Melissa gets it so that it's walked up here and we're able to call on you for your expression. Please note that if you have previously addressed the Board and it's --



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1 your position has not changed
2 then that is part of public
3 record and it does not
4 necessitate a second bite of the
5 apple, sort of speak. Certainly
6 we welcome it if you have more
7 extensive information to share
8 with the Board. Today we'll
9 proceed much as we have done on
10 the May 22nd meeting. Although,
11 I think we're all very familiar
12 with the subject matter, so I'm
13 going to forego a recap of the
14 proposed changes.

15 Again, if you wish to speak,
16 a comment card is in order first
17 and we'll ask that each of the
18 speakers limit their comments to
19 approximately three minutes.

20 Please note there is an
21 additional opportunity to express
22 your opinions today, and, again,
23 not necessary to re -- re-cover
24 the ground we've covered on the
25 22nd of May. Written or oral,



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1 this is all part of the records
2 so that the public's input period
3 ended 22 June, and I'll address
4 some of the additional written
5 comments received since our
6 previous meeting shortly.

7 I will now like to ask any of
8 the Board members if they have
9 any comments that they would like
10 to add into the record first.

11 Gentlemen? Noted that attending
12 Board members have no additional
13 comments for the record. I will
14 now proceed to recap for you the
15 written comments that we've
16 received since the last meeting.

17 Primarily we now have
18 approximately 294 comments that
19 are part of the official record,
20 and going through those, I would
21 like to read into the record for
22 today that the Central Louisiana
23 Chamber of Commerce represented
24 by Deborah Randolph, President,
25 sends support and urges adoption.



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1 The same from North Louisiana
2 economic partnership, Scott
3 Martinez, indicates support and
4 urges adoption.

5 Some of these letters are
6 lengthy and they are available as
7 part of the public record. Some
8 may go on to recommend additional
9 changes that they would like to
10 see incorporated at future dates.
11 However, they are standing firm
12 with the recommended adoption of
13 these rules in order to be the
14 next step in moving forward.

15 From the City of Gonzales,
16 Mr. Scott Berg, chief
17 administrative officer indicated
18 support and urges adoption.

19 Port of New Orleans,
20 President Brandy Christian on
21 behalf of the Board recommends
22 support, urges adoption.

23 Representing the Assessors
24 Association, the record should
25 reflect that they are still



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1 somewhat concerned. Primarily
2 their concerns are, and I quote,
3 that the scenario where all three
4 of the major bodies act in the
5 same manner is not of concern to
6 the assessors for the most part,
7 but where various agencies opt in
8 or opt out creates additional
9 administrative challenges to them
10 that have to be resolved through
11 computer software and that seems
12 to be the area of their most
13 significant concern and they
14 would like to see notations made
15 that have a better chance at
16 allowing a more simple
17 application to be executed.

18 From the Greater Shreveport
19 Chamber of Commerce, President
20 Tim Magner, indicates support and
21 urges adoption.

22 The Livingston Economic
23 Development Council represented
24 by David Bennett, President and
25 CEO recommends support and urges



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1 adoption.

2 The Acadia Parish Chamber of
3 Commerce, Amy Thibodaux,
4 President and CEO recommends
5 support, urges adoption.

6 We have a technical
7 indication from LIDEA, additional
8 points of concern. I believe we
9 have Rhonda Reap Curiel who may
10 address some of those with us
11 later today, but that letter is a
12 part of the record now and is
13 hereby submitted into the
14 official record.

15 Kean Miller Law Firm
16 expresses support and urges
17 adoption. That's submitted to us
18 by Angela Adolph.

19 A formal resolution from the
20 Morgan City Harbor Internal
21 District, that's the Port of St.
22 Mary, I believe, urges their
23 support and urges adoption.
24 Ascension Chamber of Commerce.

25 Barker Dearman also indicates



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1 support and urges adoption.

2 And the Louisiana
3 Mid-Continent Oil and Gas
4 Association, again, noting that
5 while there are some improvements
6 that could be made in the future,
7 it is supportive and urges
8 adoption.

9 Those are the significant
10 letters that I have in my
11 possession at this time and will
12 be made a part of the official
13 public record.

14 With that, we will now open
15 the floor to public comment. The
16 stack of cards that I have is
17 here, and, again, if you have a
18 wish to address the Board and
19 make your comments part of the
20 official public record, please
21 execute a card.

22 First to be present and
23 provide information is Mr. Jeff
24 Copskey, ExxonMobil. Okay. I'm
25 sorry. Next -- come on, Jeff.



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1 Thank you.

2 MR. COPSKEY:

3 Jeff Copskey with ExxonMobil.

4 I just wanted to make the comment
5 that the comments that we made at
6 the May hearing are already part
7 of the record. We just want to
8 let you know that we are aware of
9 several hundred of our colleagues
10 who work in the industry have
11 individually contacted the
12 members of the Commerce and
13 Industry Board supported what is
14 being proposed even though we
15 don't come to the microphone, I
16 want to let you know that there
17 are hundreds of others that are
18 joining us in our support. Thank
19 you.

20 MR. PIERSON:

21 Thank you for that
22 information and so noted.

23 Mr. Logan Anderson, Baton
24 Rouge Area Chamber.

25 MR. ANDERSON:



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1 We reiterate support. We'll
2 waive.

3 MR. PIERSON:

4 Baton Rouge Area of Chamber
5 is supportive and waives further
6 discussion.

7 Eric Borne, ExxonMobil.

8 MR. BORNE:

9 Good morning. My name is
10 Eric Borne representing
11 ExxonMobil. I am the portfolio
12 project manager for our Baton
13 Rouge area capital projects. I
14 was born here, raised here. I
15 was educated here, and I'm very
16 lucky to have a great career with
17 a great corporation. My career
18 revolves around capital projects
19 and future investment in the
20 Baton Rouge area. As you are
21 probably aware, we are
22 considering our polyolefins plant
23 for a major expansion here along
24 with many other capital projects.
25 As with any capital projects, we



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1 have to have quite a few things
2 to make our location viable. We
3 have to have a great workforce.
4 We have to have a reliable
5 transportation network. We have
6 to have a predictable cost and
7 regulatory environment. Without
8 those things we have to assume
9 the worst case scenario and that
10 could impact where we actually
11 invest our capital dollars.

12 I do want to kind of point
13 out as well that this isn't
14 necessarily Baton Rouge versus
15 the rest of Louisiana or even
16 Louisiana versus Texas. We
17 operate in a global environment
18 and this is really Baton Rouge
19 versus all of our other locations
20 across the world including the
21 Asian pacific region.

22 Personally, and selfishly, I
23 might add, since I'm from Baton
24 Rouge I would really like it if
25 our corporation continues to



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1 invest money here in the Baton
2 Rouge complex. I really don't
3 want to move westward at some
4 point in the future, but at some
5 point if we -- if we don't, I
6 will have to make that hard
7 decision for me and my family, so
8 I just want to offer my support
9 for you-all to support that we
10 have a predictable cost
11 environment going forward. Thank
12 you for your time.

13 MR. PIERSON:

14 Thank you. Eric. Mr. Doug
15 Melancon, ExxonMobil.

16 MR. MELANCON:

17 Good morning. Douglas
18 Melancon, ExxonMobil employee in
19 the environmental group. I had
20 spoken already. I just wanted to
21 say quickly I'm here representing
22 several hundred ExxonMobil
23 employees that have submitted
24 comments in favor of the new
25 rules and on behalf of the almost



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1 6,000 ExxonMobil employees, most
2 that are here in the parish that
3 are ExxonMobil employees that are
4 in favor of the new tax rules.

5 Thank you.

6 MR. PIERSON:

7 Thank you for taking the time
8 to be with us today. Rhonda Reap
9 Curiel, please.

10 MS. CURIEL:

11 Ronda Reap Curiel
12 representing LIDEA. You should
13 have our first letter on this
14 which was a letter of support.
15 The second letter which was
16 submitted in the public comment
17 written period you have. I don't
18 feel a need to go through those.
19 I am -- as we believe they are
20 not substantial changes that
21 there are merely clarifying some
22 of the issues that we saw. But I
23 do have one request and it's
24 procedure, which is why it's not
25 in writing, that you guys, once



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1 these rules are formally adopted,
2 hold some conversation with the
3 Tax Commission. We discovered in
4 going through some legislative
5 meeting with them there was
6 concern over the original
7 executive order and apparently
8 was not good communication
9 between the department and the
10 commission, so it created some
11 concerns as they began to
12 promulgate their rules for the
13 summer. Perhaps one of the
14 things that we're seeing going
15 forward is that a cover sheet be
16 sent with the contract to the
17 assessors that breaks down the
18 items the way that we do in the
19 application where you see an
20 amount for the building and
21 amount for the machinery
22 equipment, amount for labor and
23 engineering and then any
24 restricted amount because the
25 simpler we can make things for

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1 the assessors, the easier it's
2 going to be on their side of the
3 world. They are now going to be
4 required to capture not only the
5 contract number but the start and
6 end date and they are going to
7 have to estimate every year the
8 amount of taxes that's being with
9 the exemptions, so if there is
10 anything that y'all can do from a
11 department standpoint
12 administering the programs to
13 help it be easier for them, we'd
14 appreciate that.

15 MR. PIERSON:

16 Thank you very much for those
17 comments and recognizing the
18 complexities around this issue,
19 and certainly we're all striving
20 to achieve the most sufficient
21 process addressing assessors
22 concerns and making things
23 operate as smoothly as possible,
24 so I can pledge to you we will be
25 working with the other



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1 administrative agencies that are
2 involved here to bring as much
3 clarity as we can going forward.

4 Mr. Steve Nosaka, the Mayor
5 of Convent.

6 MR NOSAKA:

7 Sir, nothing further to add
8 from the Town of Gramercy in
9 addition to our written and
10 previous notes.

11 MR. PIERSON:

12 Thank you. Y'all had a very
13 unified support and it's greatly
14 appreciated. Ms. Stephanie
15 Cargile, ExxonMobil.

16 MS. CARGILE:

17 Hi. I have spoken before. I
18 guess today that the one thing
19 that I just wanted to add is that
20 we are in support of these rules.
21 We think they are a huge step in
22 the right direction, but to the
23 point that you guys from a state
24 perspective can provide the ROI
25 information to our local tax and



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1 jurisdictions, I think it's very
2 helpful. I know we have been
3 working with LED with the
4 potential polyolefins plant
5 expansion and to the point that
6 LEDC has been able to provide us
7 with an ROI on that project is
8 going to be very helpful going
9 forward for our local tax and
10 jurisdiction to be able to assess
11 that ROI. I just think we need
12 more predictability at the local
13 level. If this rule is
14 promulgated that is going to be a
15 concern of ours, and we
16 appreciate your support in
17 providing that guidance going
18 forward.

19 MR. PIERSON:

20 Thank you for those comments.

21 Ms. Connie Fabre, Baton Rouge
22 Industry Alliance.

23 MS. FABRE:

24 Good morning, Board members.

25 I'm Connie Fabre, Executive



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1 Director with the Greater Baton
2 Rouge Industry Alliance. We
3 represent over 65 industrial
4 sites and eight parishes around
5 Baton Rouge. I want to thank you
6 for your careful deliberation and
7 consideration of everything. I
8 would like to just say that our
9 members are definitely in support
10 of this later revision of the
11 rules. I wanted to just
12 reiterate that support and how
13 important that is to attract new
14 business. Of course the folks
15 who are here almost have a
16 different set of expectations, so
17 it's great to get new business
18 but sometimes when you get new
19 business it poses other
20 challenges for the ones that are
21 here. So I wanted to just
22 reiterate the importance of the
23 long term investments, and we're
24 a little bit concerned over the
25 retention ability with these new



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1 rules because investing in the
2 latest technologies is not
3 necessarily incentivized as much
4 or at all with the new rules. In
5 addition, an incentive to adopt
6 the latest technology for
7 environmental reductions and
8 environmental emissions is -- is
9 not there, so I will give you an
10 example. In the carbon business
11 or refrigerant business they've
12 had a lot of changes and
13 Honeywell have made investments
14 in their plants to keep up with
15 the market because the chemistry
16 has changed, but when we don't
17 have an incentive to invest in
18 those kinds of things in
19 Louisiana, you know, slowly over
20 time we're concerned that the
21 plant just will invest other
22 places because as already
23 mentioned by, I think Jeff, the
24 are -- there are choices all over
25 the world to do those



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1 investments, so to keep us
2 locally competitive going
3 forward, another incentive or
4 other things we need to think
5 about. Lastly, I would also like
6 the Board to consider a broader
7 view or a model for calculating
8 return on investment. Simply
9 looking at the jobs created at
10 that site and even just the
11 contractor jobs is a bit of a
12 narrow model and I know that it's
13 challenging, but I would
14 encourage the Board to possibly
15 do a study to get some
16 economists, get some folks
17 together and to create possibly a
18 standard that the local
19 governments can also then use to
20 calculate the return on
21 investment for the projects
22 because that is -- everyone has a
23 different way of looking at
24 things, but if you can identify
25 all of the factors for a

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1 community that makes a return on
2 investment and include all of
3 those factors because just, you
4 know, the job creation at that
5 site is just really a very, very
6 tiny and very narrow view of the
7 success of that project because
8 as we know it spawns small
9 businesses to prop up and
10 restaurants and everything else,
11 so as we know thriving, you know,
12 area and the area that give the
13 most industrial property tax
14 exemption are also the one that
15 collects the most in sales taxes,
16 etc. So it does go hand-in-hand
17 and I encourage y'all to continue
18 looking at that. I would be more
19 than happy to participate if
20 y'all do that kind of thing.

21 I did want to just leave this
22 also as information, so it's just
23 a little flyer on the ITEP and to
24 some of the careers and our
25 association. Thank you very



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much.

MR. PIERSON:

You're welcome. Thank you for those important comments that have now become a part of the public record.

This ends the number of cards that I have received. Is there anyone here today that wishes to make a further comment? Hearing none, that will conclude today's meeting and today's public input. Thank you.

(Whereupon the meeting adjourned at 9:55 a.m.)



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25**REPORTER'S CERTIFICATE**

I, RACHEL TORRES-REGIS, Certified Court Reporter in and for the State of Louisiana, as the officer before whom this meeting was taken, do hereby certify that this meeting was reported by me in the stenotype reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

That the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, and that I am informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services;

That I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board;

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3 matter nor is there any such relationship between
4 myself and a party litigant in this matter. I am
5 not related to counsel or to the parties herein,
6 nor am I otherwise interested in the outcome of
7 this matter.

8

9 Dated this 11th day of July, 2018.

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RACHEL TORRES-REGIS, CCR, RPR

15

CERTIFIED COURT REPORTER

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