

Louisiana Federation of Teachers

Weekly Legislative Digest

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State budget still not resolved

GOP plan expected to be revealed on Monday

Facing massive opposition in the House of Representatives, Governor John Bel Edwards backed away from his proposed new tax on gross corporate receipts known as the commercial activity tax, or CAT.

The bill, HB 628 by Rep. Sam Jones (D-Franklin), was voluntarily deferred before the House Ways and Means Committee took a vote. That left lawmakers still struggling to fill an expected \$440 million budget hole, as well as an expected \$1.3 billion “fiscal cliff” looming when temporary sales taxes expire in 2018.

The House Appropriations Committee is expected to reveal its own version of the state budget on Monday, when the Republican-dominated panel could list hundreds of millions of dollars in cuts to the proposed budget.

On the same day, the House Ways and Means Committee will begin debate on a laundry list of tax bills, some of which could help close the budget gap, while others might make it worse.

Governor Edwards has said that since his CAT plan went down, the ball is now in the legislature’s court. Speaker of the House Taylor Barras (R-New Iberia) told reporters that there is plenty of time left in the session to craft a budget. The session must close by 6 P.M. on June 8.

Teacher, school employee retirement systems may merge

The Teachers’ retirement System of Louisiana and the Louisiana School Employees’ Retirement System could merge if SB 11 by Sen. Barrow Peacock (R-Bossier City) becomes law. LFT opposes the bill.

Sen. Peacock said his bill would save the systems some \$5.7 million a year by merging their management functions, a claim that was disputed by spokesmen for LSERS.

The plan would merge the two systems’ administration, but would keep separate the trust funds that pay for retirement benefits.

There are big size differences between the two systems. TRSL, which represents teachers, administrators and food service employees, has 169,089 members. Its \$18.3 billion retirement fund is administered by a staff of 153 employees.

LSERS represents 26-174 bus drivers, custodians and maintenance workers. Its 35 member staff oversees funds amounting to \$1.8 billion.

Members of LSERS expressed concern that they would be overshadowed if their system merges with the much larger TRSL. As proposed in the bill, the merged system's 17-member governing board would only include one representative from LSERS's membership.

Sen. Peacock promised to amend the bill before final passage, saying, "Their voices will be heard."

The bill was approved by the Senate Retirement Committee on a 4-1 vote, and sent to the Senate floor for further action.

Corporal punishment bills pass committee

A pair of bills aimed at curbing corporal punishment in schools won approval by the House Education Committee.

The first to be heard, HB 70 by Rep. Franklin Foil (R-Baton Rouge) would prohibit the corporal punishment of students with exceptionalities, except for gifted and talented students.

The bill has the support of Gov. John Bel Edwards. The governor's education advisor, Donald Songy, testified that the bill would offer protection to our "most vulnerable population."

Studies have shown that, where corporal punishment is allowed, it is administered disproportionately to students with disabilities. The bill was unanimously approved by the committee and sent to the House for further action.

A second bill, which would prohibit corporal punishment in any public school, squeaked through the committee with one vote to spare.

HB 497 by Rep. Barbara Norton (D-Shreveport) said that corporal punishment is not a deterrent to bad behavior.

"You create more violent children when you paddle them," she said, "because this is what they know about, abuse."

Leaders of the Louisiana Association of Public Charter Schools and the Louisiana School Boards Association said they believe the issue should be left to the discretion of local schools, and not dictated by the state.

But Erin Bendily, representing the State Department of Education, supported the bill, calling it an "ineffective discipline measure."

Bendily said that statewide, more than 3,000 students were paddled by administrators last year.

Currently, 38 of Louisiana's 69 school systems allow corporal punishment. Most states ban the practice.

The bill was approved by six to five, with Chair Nancy Landry casting a tie-breaking vote. Rep. Norton has proposed the bill in previous sessions; this marked the first time it was approved by the education committee.

Bill would create STEM Advisory Council

The Senate Education Committee approved SB 225 by Sen. Sharon Hewitt (R-Franklinton). It creates the Louisiana Science, Technology, Engineering, and mathematics Advisory Council. The LFT would have a seat on the council

The bill also creates a fund in the state treasury for the STEM program, and requires BESE to create a STEM high school diploma endorsement.

Panel votes to expand return-to-work laws

The House retirement committee passed two bills that would expand the state's return-to-work laws. These bills now head to the full House for a vote.

HB 4 by Rep. Blake Miguez (R-Erath), would add school nurses to the list of retirees who can return to work and continue to receive a benefit check, subject to a 25% earnings limitation.

HB 31 by Rep. Frank Hoffmann (R-West Monroe) would add school psychologists to the list of critical shortage positions in which a retiree can return to work without a reduction of benefits.

In other action, the committee passed an amended version of HB 33 by House retirement committee chair Rep. Kevin Pearson (R-Slidell). It allows the chairs of the House and Senate retirement committees, even if they are not members of the system boards, to authorize legislative staff to attend executive sessions of the board and committee meetings of the state and statewide retirement systems.

Committee okays litter prevention bill

A bill requiring litter prevention instruction in grades K-5 was approved by the House Education Committee.

HB 111 by Rep. Stuart Bishop (R-Lafayette) proposes that instruction be integrated into the existing curriculum, but was amended to ensure that it does not affect the science curriculum, which is the subject of high-stakes testing.

Pushback to the bill came from the Louisiana School Boards Association. Executive Director Scott Richard pointed out that instruction on litter prevention is already embedded in the curriculum's science standards.

The bill was unanimously approved and sent to the floor of the House.

Bill would expand suicide training to non-public and charter schools

A bill that would require charter schools and approved non-public schools to train educators on suicide prevention was approved by the House Education Committee.

HB 452 by Rep. Neil Abramson (D-New Orleans) calls for at least two hours of suicide prevention training in the schools. The training is already mandated in traditional public schools.

Rep. Abramson said the plan would have no fiscal impact because training materials are already provided by the Department of Education. The bill won unanimous approval by the committee.

Tobacco ban bill proceeds

A bill that would prohibit use of any tobacco products, including vaping, on school property was approved by the House Education Committee.

HB 531 by Rep. Frank Hoffman (R-West Monroe) deletes a section of current law that authorizes the designation of smoking areas on school property. It does not include school property that is rented, leased or otherwise made available for non-educational purposes.

Without objection, the bill was sent to the House for further action.

Bill calls for child care background checks

A bill calling for criminal background checks for early learning center employees, school employees, registered family child care providers and in-home providers was approved by the House Education Committee.

Rep. Alan Seabaugh (R-Shreveport) said that HB 557 was filed to comply with a federal law requiring background checks for all who work with children. Without it, he said, block grants for early childhood care could be in jeopardy.

Some witnesses expressed concern that the bill could wind up costing the state up to five percent of the federal funds, however. That is because Rep. Seabaugh's bill includes provisional approval of employees due to a shortage of workers in the industry. The concern is that the provisional approval may not meet federal requirements.

The Week Ahead:

Monday, May 1

Senate Committee on Revenue and Fiscal Affairs: SB 95 by Sen. Blade Morrish (R-Jennings) would curb the outrageous giveaway of public dollars by converting the School Tuition Organization rebate to a nonrefundable tax credit and limit the amount of money eligible for the donation. [Click here for more information.](#)

Tuesday, May 2

House Education Committee: HB 517 by Rep. Gary Carter (D-New Orleans) would require the State Superintendent of Education to report specified information annually pertaining to each public school, including charter schools.

HB 538 by Rep. Steve Carter would require school board members to have at least a high school diploma, and provides that people who have been convicted of or pled *nolo contendere* to certain crimes are not eligible to serve.

HB 556 by Rep. Kevin Pearson (R-Slidell) would limit paid sick leave for teachers and school employees who are injured in attacks by students.