

Louisiana Federation of Teachers

Weekly Legislative

Digest

May11, 2018

Larry Carter, President * Les Landon, Editor

2018 Regular Legislative Session

Now available on the Web at <http://la.aft.org>

When will it end?

Lawmakers clearing the deck for special session

Committee chairs are scrambling in the state legislature to conclude their business by the end of next week, so that a special session aimed at sorting out the budget can begin by May 18.

No House committee meetings were slated for today (May 11), and the only Senate committee with a meeting on the calendar was the Finance Committee

Committee meetings in the House of Representatives are iffy next week. An Education Committee meeting was tentatively slated to consider just one bill, SB 303 by Sen. John Milkovich (D-Shreveport), which would toughen state laws on bullying in schools.

But Committee Chair Nancy Landry (R-Lafayette) notified Sen. Milkovich that the meeting may not take place if the legislature finds itself in the final stretch to *sine die* before reconvening in a special session.

(Note: A late addition to the proposed May 15 meeting of the House Education Committee is SCR 92 by Sen. Troy Carter (D-New Orleans), requesting the Department of Education to report on the implementation of recommendations made by the Alternative Education Study Group.)

Senate panel looks at budget, approves its own version

The Senate took its first stab at the state budget when the Senate Finance Committee deliberated HB1 by Rep. Cameron Henry (R-Metairie) following the Senate's morning session Friday.

The \$27 billion budget was one of just three items on the agenda; the other two were resolutions aimed at establishing priorities in a standstill budget.

While varying somewhat from the version of the budget approved by the House of Representatives, the Senate's budget still cuts nearly 25% from many state agencies. It protects funding for some areas, including safety net hospitals and medical education.

Senators on the committee agreed that the budget as written cannot be sustained. As Sen. Eric LaFleur (D-Ville Platte) said, "This is a pretend budget."

Capitol watchers say it is unlikely that a realistic budget can be approved without the planned special session. As LaPolitics.com reporter Jeremy Alford wrote, "It's unclear what kind of compromise can survive the Senate, appease the House and avoid a veto from Edwards, but this episode of legislative gloom and doom (known more formally as the 2018 regular session) does appear to be nearing its end. Finally."

Budget realities called "scare tactics" by Caucus of NO

Members of the Republican "Caucus of NO" reacted angrily when Gov. John Bel Edwards' Department of Health announced that some 37,000 nursing home residents will be notified that they could be evicted if the state's budget is not resolved by June 30.

Commissioner of Administration Jay Dardenne told reporters that the state is legally obligated to inform nursing home residents of the possibility, should Medicaid not be fully funded by the state.

House Appropriations Committee Chair Cameron Henry (R-Metairie) accused the governor of "striking fear into the elderly of the state." Another Caucus of No member, Sen. Jim Fannin (R-Jonesboro), called the announcement "an ugly political maneuver."

Dardenne said the looming crisis is the fault of House Republicans who steadfastly refuse to consider raising revenues to meet the state's obligations. "This is an unfortunate, inevitable consequence of inaction," Dardenne said.

Department of Health Secretary Dr. Rebekah Gee said that she is pained by the necessity of sending out the notifications. "Our hearts are breaking, but we can't provide services without money," she said.

House shoots down Constitutional Convention

Faced with concerns about what would happen to vital state services like public education, the House of Representatives failed to pass a bill that would have called for a convention to rewrite portions of the state constitution.

The House vote for HB 500 by Rep. Neil Abramson (D-New Orleans) was 52-47, some 18 votes short of the majority required for its passage.

Supporters of the Constitutional Convention said they want to make local governments less reliant on state resources. But there was no plan to replace the resources that local offices need to provide services to the public.

Local agencies would still have to provide education, public safety, and other mandated public services, without a guarantee that they would be able to provide those resources.

Some lawmakers have even said they want to remove constitutional protections for basic aid to funds like the Minimum Foundation Program. That would make it easy to cut funding for public education at a time when it is more important than ever that we provide more resources to our schools.

Payroll deduction bill remains subject to call

A House vote on a bill that would require teacher unions, but no other vendors, to pay a fee for the payroll deduction of dues was voluntarily delayed by its author.

Rep. Nancy Landry (R-Lafayette) pulled her HB 671 from consideration, and it is subject to call if and when Rep. Landry believes she has enough votes to ensure its passage. But with the legislature trying to tie up its loose ends by the end of next week, it seems doubtful that there is enough time to gain House passage and then navigate the Senate procedure.

The bill would allow school systems to charge professional education organizations up to three percent of dues deducted from salaries. School board business agents have said there is virtually no cost for providing the service, which is available for free to dozens of banks, insurance companies, charities and other vendors.

Rep. Landry incorrectly told Representatives that the bill would apply to all vendors. The bill clearly states that it applies only “to all competing organizations of teachers or other employees.”

She also told Representatives that the current practice of deducting dues from payroll is unconstitutional. But according to LFT’s legal counsel, that is also incorrect.

The bill would also interfere with collective bargaining agreements in which employees have voted for exclusive representation, rendering the contracts void if school boards do not comply with the proposed law.

The bill remains on the House calendar, and could be heard on May 14.

Time may run out on guns in school bill

Lawmakers received hundreds of messages from concerned citizens after the House of Representatives approved HB 602 by Rep. Blake Miguez (R-Erath), which would allow anyone except teachers and school employees who hold a concealed carry permit to have a weapon on school grounds.

The bill was assigned to the Senate Judiciary B Committee, which did not have a meeting scheduled for next week as of this writing. If the panel does not meet, the bill will be dead for the session. HB 602 was the last of several guns-on-campus bills proposed this year. None of them have made it through the legislative process.

TOPS program dodges legislative reforms

Funding imperiled by state budget, however

Despite widespread belief that the TOPS scholarship program must change to remain financially sustainable, efforts to reform the popular program sank in the regular legislative session.

The most recent bill with a chance to affect TOPS, HB 399 by Rep. Gary Carter (D-New Orleans) would have changed the way funds are distributed when the program is not fully funded. It would have guaranteed 100 percent funding for the top students and those who meet family income requirements, with reductions for others.

That bill was defeated 27-70 on the House floor.

Other efforts to means test TOPS, reserve it for the highest achieving students, or otherwise change the computation, either went down to defeat or do not have enough time to proceed through the legislative process.

TOPS serves about 52,000 students who earned a 2.5 GPA and scores at least a 20 on the ACT. Higher achieving students can receive a stipend, and TOPS Tech is there for students who come close to meeting the requirements, and may attend a community college or technical school.

Currently, TOPS costs the state about \$292 million per year. The budget approved by the House of Representatives would cut funding for TOPS by 80 percent next year.

The week ahead...

Tuesday, May 15: The House Education Committee is scheduled to meet, with two items on the agenda.