

# Louisiana Federation of Teachers

# Weekly Legislative Digest

May 29, 2015

Steve Monaghan, President \* Les Landon, Editor

2015 Regular Legislative Session

---

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

## House approves \$3.7 Billion MFP

The House of Representatives approved public education's \$3.7 billion Minimum Foundation Program formula without opposition, but questions linger about its fate in upcoming Senate hearings.

The House version of the formula in HCR 18 by Rep. Steve Carter (R-Baton Rouge) includes a scaled-back \$36 million inflation factor. That is just half of what it would take to provide a 2.75% increase, which was considered a customary practice prior to the Jindal administration. In six of the seven previous Jindal-era budgets, per-pupil funding in the MFP remained flat.

LFT President Steve Monaghan was one of those who argued for a full 2.75% increase in the MFP this year. But after HCR 18 was approved by the House Education Committee during the week, Monaghan said that it would be difficult to get more in a year that began with lawmakers facing a \$1.6 billion deficit.

In total, the MFP includes about \$85 million over last year's formula. Nearly half of that is due to an increase in the number of students expected in public schools next year, and \$8 million is in the MFP to bump spending on students with special needs and for those in dual enrollment college courses and career education programs.

If the MFP survives the session intact, it will increase the base per-pupil funding from \$3,961 to \$4,051. Lawmakers can either accept or reject the formula, but may not change it.

The governor's original budget proposal did not include an increase in the MFP. As budget hearings begin in the Senate, there are big questions about whether or not legislators can pass a balanced budget and at the same time obey Jindal's requirement for a revenue-neutral spending plan.

Next week, the Senate Finance Committee will consider 11 money-raising bills that have been passed by the House. Unless those increases can be offset by other spending cuts or tax expenditures, the Legislature's plan may not meet with Jindal's approval.

## 1.5% retirement COLA passes House of Representatives

With votes to spare, the House of Representatives approved a 1.5% cost of living adjustment for members of the state's public retirement systems. Now HB 42 by Rep. Sam Jones (D-Franklin) will have to negotiate the Senate before retirees can count on the increase, expected to average about \$30 per month.

The COLA was approved over the objection of House Retirement Committee Chairman Kevin Pearson (R-Slidell), who claimed that it would cause a \$300 million increase in the retirement systems' unfunded accrued liability.

Supporters, including Rep. John Bel Edwards (D-Amite), disputed that claim, and said that the UAL is actually on track to a paydown approved by the legislature several years ago.

Money to pay for the COLA is in the systems' experience accounts, profits made from investment of retirement funds. Supporters said they fear that if no COLA is granted, the money could wind up being "swept" to help balance the state budget.

The bill needed a two-thirds majority, or 70 votes, in the 105-member House to pass. It was approved on an 80-20 vote.

## Common Core bill seems to face smooth sailing

With Governor Bobby Jindal now apparently on board, a three-bill compromise on the volatile Common Core issue seems likely to be approved by the legislature.

Two of the bills, HB 542 by Rep. John Schroder (R-Covington) and HB 373 by Rep. Brett Geymann (R-Lake Charles) have been nearly unanimously approved by the House.

A third bill, SB 43 by Sen. Conrad Appel, was okayed this week by the House Education Committee after sailing through the Senate.

SB 43 guarantees that any changes to the state curriculum adhere to the Administrative Procedures Act, a legal process ensuring transparency and public input. Changes would then have to be vetted by the joint House and Senate Education Committee and submitted to the governor for an up-or-down decision.

HB 542 says that no more than 49.9 percent of questions on next year's tests can come from the Partnership for the Assessment or Readiness for College and Careers (PARCC) blueprint. It also prohibits the state from contracting with PARCC to provide the state tests. HB 373 directs how the state education board can overhaul current curriculum standards.

Gov. Jindal, who originally supported Common Core but changed his position to bitter opposition, released a statement in support for the compromise.

"We are supportive of this compromise now that the Superintendent and BESE have listened to the concerns of parents, legislators and the administration about the make-up of the standards review commission. The next step will be to elect leaders who are committed to getting rid of Common Core," said the statement.

## Changing of the guards

Two of the LFT's largest local chapters are inaugurating new officers as this school year ends. Jefferson Federation of Teachers President Meladie Munch will be succeeded by Cathy Johnson, and St. Tammany Federation of Teachers and School Employees President Elsie Burkhalter is handing the reins over to Debbie Green.

Meladie Munch has guided her chapter through one of the most challenging times in its history. For the past four years, her school board was dominated by business interests that revoked JFT's collective bargaining agreement, abandoned the chapter's Health and Welfare Fund and required members to re-sign with the union every year. But in an historic turnaround, this year Meladie led an election charge that reversed the makeup of the board. Educators in Jefferson are about to regain the rights lost during the big business reign of terror.

Elsie Burkhalter founded the St. Tammany Federation in 1979, and is retiring after serving as the chapter's president for 35 years. She led the Federation to a series of collective bargaining agreements beginning in 1992 that resulted in contracts for all non-administrative employees in the system. Elsie is also a vice president of the American Federation of Teachers, and has served as a member of the Slidell City Council and on the board of the University of Louisiana system.

JFT's new president, Cathy Johnson, is a 28-year veteran special education teacher. She's been on JFT's executive council for 20 years, and has served as middle school vice president, building representative and bargaining team member. She is a vice president of the Louisiana Federation of Teachers.

In St. Tammany, Debbie Green is a kindergarten teacher at Florida Avenue Elementary in Slidell. She is a 34 year veteran teacher, a life-long union member, longtime member of ST.TFT's executive board, and the bargaining team. She is also a vice president of the Louisiana Federation of Teachers.

Newly elected vice presidents of the Jefferson Federation include Kesler Cameese Jones, Nathan Winesberry, Nellie Meariman, Joyce Blunt, Wanda Sargent, Tina Mezquita and Chad Comeaux. Members-at-large are Jessie Barksdale, Mary Carter, Ann Costanza, Sandra Hauer, Brigid Higgins, Joshua Matthews, Kim Minor, Karen Riggelman, Vanessa Smith, Maria West and Deb Wescott.

St. Tammany's new board includes Executive Vice President Patricia Craddock, Second Vice President Hana Jeansonne, Secretary Joyce Smith, Treasurer Calvin Smith, and Delegates –at-Large Gwen Brady, Kathy Crawford, Archie Galloway, Lizette Pechon and Kim Alexis-Watkins.

## **Return to Work bill passes**

A bill that would make it easier for retired teachers and paraprofessionals to return to work after retirement without losing benefits has been approved by both Houses of the Legislature.

SB 20 by Sen. Gerald Long (R-Natchitoches) awaits Gov. Jindal's signature before becoming law.

## **Non-cognitive testing bill progresses**

A bill that would prohibit standardized testing of students' non-cognitive skills was approved by the House and moves to the Senate Education Committee.

HB 245 by Rep. Cameron Henry (R-Metairie) is part of the anti-Common Core wave of bills introduced this year. It basically says that standardized tests may not ask students what they think or feel about questions.

## **School suspensions bill clears hurdle**

Amid claims that the bill does not offer enough protection to students, the House Education Committee approved bill that prohibits out-of-school suspensions for K-5 students who violate school uniform rules.

SB 54 by Senator Sharon Broome (D-Baton Rouge) was originally intended to ban schools from expelling or suspending very young children. It ran into objections from school boards and teachers who feared that it would take away a necessary disciplinary tool.

Some other discipline options, such as in-school suspensions, have been reduced or eliminated for lack of funding.

The bill's final legislative hurdle will be a vote by the full House of Representatives.

## **Bill ties private school deduction to tax credits and tax repeal**

A complicated set of bills described by capitol observers as a "bizarre shell game" is an example of maneuvers lawmakers are making as they try to balance a budget while honoring Governor Bobby Jindal's commandment that any result be revenue neutral.

SB 93 by Sen. Robert Adley (R-Benton) would do away with the \$25 tax credit for non-public school students if the parents are already taking the up to \$5,000 deduction of their private school tuition. Because removing the tax credit would be construed as raising taxes by Gov. Jindal, offsets are required to make the removal of the tax credit revenue neutral.

SB 93 has therefore been attached to SB 284 by Sen. Jack Donohue (R-Mandeville) and HB 828 by Rep. Cameron Henry (R-Metairie), both of which must pass before SB 93 could go into effect.

SB 284 would create the Student Assessment for Valuable Education Act. It would allow a student who enrolls in a public college to apply for a tax credit which would go to the institution, not the student. It is unclear where funding for the tax credit would come from. It passed the Senate and will be heard by the House Ways and Means Committee on June 1.

HB 828 would repeal the corporate franchise tax. It was passed by the House on a 67-34 vote.

## **One more try for contracts bill**

For the fourth time in as many years, Rep. Dee Richard (No Party- Thibodaux) and Treasurer John Kennedy are attempting to rein in the cost of consulting service contracts.

A version of the bill was actually passed by the Legislature last year, but was vetoed by Gov. Bobby Jindal, whose Division of Administration oversees as many as 1,700 contracts costing the state over \$2 billion.

The twist on this year's legislation is that savings from the bill would go to higher education. If Rep. Richard's HB 30 is enacted, the Joint Legislative Budget Committee would review any consulting contract valued at \$40,000 or more. Money saved by rejecting contracts would flow to the proposed Higher Education Financing Fund.

HB 30 was approved by the House Appropriations Committee, and is slated for floor debate on June 1.

## **Tax exemption review likely dead for session**

A proposed Constitutional amendment requiring a review of tax exemptions and credits is likely dead for the session.

The amendment comprises SB 75 and SB 78 by Sen. Fred Mills (R-Parks), and would create an Exemption Review Conference to review all exemptions and tax credits. The watered-down version of the bill as it emerged from Senate Finance removed the committee of people to review the exemptions and instead added six criteria that must be appended to fiscal notes created for all proposed credits and exemptions or those that are up for renewal. Sen. Mills voluntarily deferred the Constitutional Amendment and it is now most likely dead for the session.

## **Equal pay and minimum wage bills die in committee**

Bills that would have guaranteed equal pay for women and increase the state minimum wage were shot down by the House Labor and Industrial Relations Committee, a panel that the Louisiana Budget Project calls “the place where progressive policy proposals go to die.”

SB 219 by Sen. Edwin Murray (D-New Orleans) would have required companies with at least 50 employees to pay women the same wage as men. The bill was approved by the Senate and Governmental Affairs Committee and the full Senate before being spiked by the House panel.

Sen. Murray said he will bring the bill back to the legislature next year.

HB 677 by Rep. Marcus Hunter (D-Monroe) would have established a state minimum wage of \$7.25 per hour beginning next January, and would have repealed a prohibition on local governments setting their own minimum wage standards. It also would have increased the minimum wage allowed for employees who earn tips.

On a related note, the House Ways and Means Committee approved HB 70 by Rep. Walt Leger (D-New Orleans), which would double the Earned Income Credit. It will be heard on the House floor on June 1.

## **Bits and pieces from House Ed**

SB 28 by Sen. Troy Brown (D-Napoleonville), a bill to require schools to inform children/parents of the free homework help offered by the state library was passed out of the House Education Committee. That bill now heads to the House Floor where it has not yet been scheduled for debate.

SCR 92 by Sen. Dale Erdey (R-Livingston), was also reported favorably. That bill requires BESE/DOE to promulgate new rules on school bus driver training requirements. It now heads to the House Floor for consideration by the whole body.

## **The week ahead...**

### **Monday, June 1:**

The House Appropriations Committee will debate SB 249 by Sen. Rick Ward (R-Port Allen), which establishes a new voucher scheme called the School Choice Loan Fund. LFT opposes the bill.

LFT supports SB 260 by Sen. Sharon Broome, which reauthorizes the Office of Group Benefits.

House Ways and Means takes up SB 284 by Sen. Jack Donohue, the SAVE act (see above).

The Senate Revenue and Fiscal Affairs Committee will debate HB 2, the capital outlay budget. It contains a list of projects over 179 pages long, to be funded by money that has yet to be sourced.

The Senate Retirement Committee will consider HB 42 by Rep. Sam Jones (D-Franklin), the retiree COLA bill.

The House will convene at 1:00 P.M. to consider HCR81 (Thierry – Taskforce on Summer Hunger); HCR126 (Carter – BESE rules on teacher prep programs); HCR136 (W. Bishop – dual enrollment for homeschool kids); HB30 (Richard – Contract review/HE Fin. Fund money shift); HB80 (Carmody – Better Highways Higher Education Fund creation); HB562 (Havard – Rev. Est. mineral money shift to UAL); HB70 (Leger – EIC)

### **Tuesday, June 2:**

The House Education Committee will consider HCR 174 by Rep. Helena Moreno (D-New Orleans), the early childhood funding model; HCR 182 by Rep. Wesley Bishop (D-New Orleans), asking BESE to dedicate space for home schooled students; and SB 58 by Sen. Conrad Appel, the Deaf Child Bill of Rights.

The House and Governmental Affairs Committee will consider HB 348 by Rep. Marcus Hunter (D-Monroe), the early voting openness bill; and SB 31 by Sen. Jean-Paul Morrell (D-New Orleans), which would survey risky behavior by New Orleans students. LFT supports both bills.

The House will convene at 1:00 P.M. to consider HCR130 (Price – L-SERS/LSBA Audit); HB518 (Stokes – removes limitations on taxes in non-fiscal sessions); SB52 (Reauthorization of DOE); SB129 (Nevers – allows school districts to take over failing schools of other districts).

**Wednesday, June 3:**

The House will convene at 1:00 P.M. to consider HB256 (Pope – Interlocal risk management); SB184 (F. Thompson - School food service small procurement); SB267 (Claitor – Charter schools and exceptional students)

**Thursday, June 4:**

The House will convene at 1:00 P.M. to consider HB485 (H. Burns – Veteran Friendly Campuses).