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Legislative UPDATE

VOLUME 2

2008 REGULAR SESSION

JUNE 27, 2008

OVERVIEW

We had a successful session in many areas. The funding ban for embryonic stem cell research was passed, along with the scholarship/voucher bill for Orleans Parish. We defeated all eight anti-immigrant bills and increased our Required Services funding by \$1 Million.

HIGH PRIORITY ISSUES

All issues are listed by priority in alphabetical order.

CLONING – HB 370 by Rep. Cameron Henry is a ban on funding for embryonic stem cell research that passed both chambers and has been signed by the Governor as Act 486.

EDUCATION FUNDS – After our vigorous opposition the author of HB 398, Rep. J.P. Morrell, turned his bill into a study resolution. In its original form the bill would have required private schools to take state LEAP tests or lose all state funding.

IMMIGRATION – Rep. Tim Burns' HB 1157 sought to prohibit the renting of property to illegal immigrants. The bill squeaked out of committee on a 6-5 vote. We were joined at the table on that bill by the Louisiana Realtors Association. Rep. Burns decided not to have this bill heard on the House Floor for the rest of the session due to strong opposition, including that of Speaker Jim Tucker.

Rep. John LaBruzzo brought HB 887, which would have prohibited illegal immigrants from bringing medical malpractice suits. We fought this bill in Senate Judiciary A, leading to Rep. LaBruzzo voluntarily deferring it for the remainder of the session.

HB 1380 by Rep. Joe Harrison would have allowed undocumented immigrants to continue to work in Louisiana, only if they had obtained a Louisiana government issued biometrics card. This bill passed through the House Labor Committee despite concerns about how much the implementation of such a program would cost. When called on the House Floor, Rep. Harrison asked

and received permission to recommit this bill to the House Labor Committee due to the exorbitant fiscal note that the bill had attached to it (\$45 million over five years). Once back in House Labor, Rep. Harrison moved to make this bill a study resolution and received the necessary votes making it HSR 12.

HB 1103 by Rep. Patrick Williams was assigned to House Labor Committee, but was never heard. It would have invoked penalties on employers for hiring illegal aliens.

MANDATED CONTRACEPTION INSURANCE – HB 562 by Rep. Karen Carter Peterson would have required Catholic entities to provide contraception as part of our health insurance policies. The author was aware of the heavy opposition to the bill so she chose not to bring it before the House Insurance Committee.

REQUIRED SERVICES – The Administration had put a \$2.6 Million increase for this program into HB 1. Under the new Appropriations Committee process, a new entity called the Education Subcommittee reviews and makes recommendations on all education-related budget line items. They cut seven public and private school programs, including all of our increase for Required Services. The full Appropriations Committee and the full House upheld that action. However, the Senate Finance Committee restored \$1 Million of the increase, and that amount held through the remainder of the process. HB 1 now sits on the Governor's desk.

VOUCHERS – We worked closely with the Administration on the language of Gov. Bobby Jindal's \$10 Million Scholarship program for Orleans Parish. HB 1347 by Rep. Austin Badon of New Orleans was the legislative vehicle that was utilized. The House committee hearing took 3¾ hours; the vote was 9-8 to pass it out. An amendment was added requiring state tests and pegging the scholarship at the lesser amount of 90% of public school funding (\$6,300) or the highest level of tuition at the voucher receiving school. The bill was fought vigorously by the public school establishment (teacher unions, school boards, and superintendents). The House passed the bill 60-42 after a marathon, and emotional, 3½ hour "special order" floor debate. A similarly difficult battle was fought successfully in Senate Education, Senate Finance, and on the Senate floor. Sen. Ann Duplessis of New Orleans led those battles. Then a separate vote had to be taken in the House to concur in some minor Senate amendments. That too was victorious for our side.

MEDIUM PRIORITY ISSUES

COASTAL PROTECTION (SB 367) – Initially we were opposed to this bill by Sen. Reggie Dupre. However, a fuller understanding of the actual impact of this bill, plus the addition of amendments has led to our now supporting it. It passed through the Senate and House, and awaits signature by Governor Jindal.

CONTRABAND DEFINITION/CORRECTIONAL FACILITIES (HB 118) – We got this bill amended by the author, Rep. Damon Baldone, to include this wording: "A reasonably small amount of sacramental wine shall be permitted to be brought onto the grounds of a state correctional institution for use by a clergy member only, as part of a religious service."

DEATH PENALTY ABOLISHMENT (HB 323) – HB 323 was a bill by Rep. Walker Hines that would have abolished the use of the death penalty within the state of Louisiana. Rep. Hines met opposition to this bill and chose not to bring it before the House Criminal Justice Committee. Rep. Hines also

brought HCR 172 which urges and requests the Department of Public Safety and Corrections and the Department of Justice to jointly study issues related to the death penalty in Louisiana and report its findings to the legislature. Rep. Hines argued that there are many studies existing that pertain to the death penalty, but none that directly address its use and effects directly on the state of Louisiana. This study resolution failed within the House Criminal Justice Committee as only two representatives voted for such a measure.

GROUNDWATER MANAGEMENT ENFORCEMENT PROVISIONS (HB 376) – Rep. Gordon Dove successfully passed this bill through both chambers and sent it to Governor Jindal for his signature. The bill specifies certain penalties for civil violations of groundwater management provisions or rules.

HIGH SCHOOL REDESIGN COMMITTEE (HB 721) – This is our bill, by Rep. Mert Smiley, to have a member of the BESE Non-Public School Advisory Committee added to BESE’s High School Redesign Committee. It passed both chambers and has been signed by the Governor.

LOBBYIST DEFINITION (SB 499) – We supported this bill by Sen. A.G. Crowe to exclude occasional expert witnesses, e.g. a diocesan school superintendent, from having to register as a lobbyist. It was passed by both chambers and awaits a gubernatorial signature.

SEXUALLY-ORIENTED BUSINESSES (SB 712) – We supported this bill by Sen. John R. Smith to ban this type of business from opening up next to schools, as happened to one of ours last year in Monroe. The bill failed in Senate Commerce Committee as those on the committee believed that this was a local issue to be governed by individual local municipalities.

UMBILICAL CORD BLOOD BANK (HB 861) – This bill by Rep. Walker Hines establishes the Umbilical Cord Blood Banking Program within DHH for the purpose of promoting public awareness of the benefits of cord blood banking, encouraging research into the uses of cord blood, and facilitating pre-delivery arrangements for banking of cord blood donations. It passed through the House and Senate and was signed into law by Governor Jindal.

LOW PRIORITY ISSUES

APPROPRIATIONS BILL (HB 1) – There is \$5 Million for the statewide Food Bank program, plus \$1.2 Million in the bill for the Abortion Alternatives program. Cafeteria workers will receive a \$1,000 salary supplement in the amendment added on the House floor. Rep. Patrick Connick added a \$125,000 amendment to aid Hope Haven.

CHILD POVERTY PREVENTION COUNCIL (SB 660) – Sen. Ben Nevers brought this bill to create the Child Poverty Prevention Council within the Department of Social Services. The stated goal of the council is to reduce child poverty in the state of Louisiana by 50% over the next ten years. This bill passed through both chambers and was sent to Governor Jindal for his signature.

COURT INTERPRETERS/NON-ENGLISH SPEAKING PERSONS (HB 79) – We supported this bill by Rep. Cedric Richmond which will provide for court interpreters for non-English-speaking persons who appear in court. It has passed the House and Senate and is awaiting the signature of Governor Jindal.

DIRECT PAYMENT NUMBERS (SB 445) – This bill passed both chambers. It involved potential savings on interest gained by utilizing an alternative methodology for paying state sales taxes. It is geared toward very large employers. Catholic Charities and the Archdiocesan food service manager have indicated that they likely will not be able to take advantage of the bills provisions.

LOUISIANA SCIENCE ACT (SB 733) – We did not take a position on this bill by Sen. Ben Nevers. However, we closely watched as it moved through the process. Opponents, including the ACLU, say it will foster the teaching of Creationism in public schools, which we would oppose. However, a close reading of the language does not indicate that would happen. This bill easily passed through both chambers. The Governor is expected to sign it.

OFFICE OF WOMEN’S POLICY – We supported the amendment to HB 1 to keep this department in the Governor’s Office rather than move it to the Department of Social Services. The amendment was retained throughout the rest of the legislative process.

UNEMPLOYMENT COMPENSATION DEBT FORGIVENESS (HB 186) – This bill by Rep. Avon Honey provides financial relief for hurricane affected nonprofits such as Catholic Charities. The bill passed both chambers and is on the Governor’s desk.

FINAL NOTE – We also monitor dozens of public school bills to ensure private schools are not amended into the legislation.



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