



LAE's CAPITOL CONNECTION

Your weekly legislative update from the LAE lobby team

May 27, 2011

THE 2011 SESSION: FIVE WEEKS DOWN, FOUR TO GO!

LAE continues to keep you up to speed on important issues related to the 2011 Legislative Session. Be sure to check out www.lae.org for video recaps of lobby team testimony. See testimony for the week of 5/23 – 5/27 at www.youtube.com/watch?v=2S99kJugf9w.

LAE FIGHTS MORATORIUM OF EXTENDED SICK LEAVE

In the House Education Committee meeting on Tuesday, Representative Joe Harrison brought forward **HB 454**, which places a moratorium on extended sick leave. While LAE opposes the elimination of any employee benefits, the lobby team has been working with Representative Harrison and successfully convinced him to amend **HB 454**, rather than lose the entire benefit. LAE respects Mr. Harrison because through his amendments, he provided protections for employees in the application, certification and utilization of extended sick leave/medical sabbatical. Representative Harrison placed a sunset provision on the proposed moratorium.

In its original format, **HB 454** would have allowed a school district - at its discretion - to place a strict moratorium on the use of extended sick leave or medical sabbatical leave, if the 2.75 percent MFP formula was not approved. The amendments we suggested were adopted by Representative Harrison, and ultimately adopted by the committee. These amendments are provided below:

- Prevents a school board from denying leave, if a certificate of medical condition is provided by a licensed physician for catastrophic illness or injury, defined as a life-threatening, chronic, or incapacitating condition affecting an employee or member of an employee's immediate family.
- Provides that the school board shall honor any approved leave that it approved prior to the date the minimum foundation program formula is approved by the legislature.
- Provides that the provisions enacted by **HB 454** would fully sunset effective June 30, 2013, and revert back to its original state.

SENATE COMMITTEE ON RETIREMENT DEBATES TEACHERS RETIREMENT BILL SB 6

The full senate debated **SB 6** on the floor this week. LAE supports the bill brought forth by Senator Butch Gautreaux, which would require any agency withdrawing from the retirement system to pay their portion of the unfunded accrued liability. For example, if a charter school failed and left Louisiana - as has happened in several instances with the RSD in New Orleans - the entity would still have to remit its TRSL obligation.

To our surprise, the bill was heavily lobbied by the LSU administration, but failed to receive a majority of senate votes. LAE believes that our LSUnited chapter needs to be on alert since this may mean that the LSU administration may be interested in leaving faculty and staff "high and dry" if they propose legislation to leave TRSL.

The bill will be reconsidered next week, and the LAE lobby team will continue to keep you updated on its status. Be on the lookout for a Capwiz next week requesting action in support of **SB 6**.

HOUSE COMMITTEE ON EDUCATION DISCUSSES HIGHER EDUCATION BILL 391

House Bills **391** and **588** were discussed in committee this week. Both bills deal with the restructuring of higher education governing boards. **HB 391** seeks to create a single entity that would be responsible for governing higher education systems across the state. The bill calls for the abolishment the Board of Regents and other management boards, transferring their powers and duties to a newly created single entity. LSUnited member Steve Rushing spoke in opposition to the bill. Here's what he had to say:

"We question whether or not one board could actually administer the entire state university system and do so efficiently."

HB 391 passed amid skepticism from committee members, it will move onto the full house for debate.

Representative Thomas Carmondy, author of companion legislation **HB 588**, presented the committee with an extensive substitute bill. Due to the lack of time to research its content, the committee chose to defer the discussion on the bill to next week, in order to provide members with an adequate opportunity to study the new proposed legislation.

HOUSE COMMITTEE ON RETIREMENT DISCUSSES HIGHER EDUCATION BILL 530

The House Committee on Retirement discussed **HB 530**, brought forth by Representative Kevin Pearson, which would increase employee contributions and average compensation for calculation of benefits for university system employees. LSUnited member Steve Rushing spoke in opposition to the bill; here's what he had to say:

"In these difficult economic times, we're dealing with foreclosures, increased gas prices, and we have significant and exuberant costs in food prices; it would not be prudent at this time to take money out of the pocketbooks of your employees. This could be the straw that breaks the camel's back for many individuals who are employed in our state."

A debate arose between bill author Representative Kevin Pearson and Representative Rogers Pope addressing the fact that the bill was very similar to another previously discussed in committee. Mr. Pope's concern was that if both bills made it through, then both of their required contribution increases would be enforced upon state workers. This concern caused Mr. Pope to request that **HB 530** be involuntarily deferred. That motion failed and the bill passed through committee. It will move on to the house floor for debate where **LAE** and LSUnited will continue to fight against this legislation.

OTHER BILL TRACKING AND UPDATES

The LAE lobby team will continue keeping a close eye on the following bills, here's a quick update on all of our *Bills to Watch*:

Education Legislation

- New School Letter Grading System: **SB 35** and **SB 201** would delay implementation of the new letter grading system developed by BESE. **LAE supports** this legislation. These bills have been assigned to the Senate Education Committee and have yet to be discussed.
- RSD Takeovers: **HB 499** would place a moratorium on state takeovers of public schools in Louisiana by the RSD. **LAE supports** this legislation. This bill was considered on 5/18 and was involuntarily deferred by the House Education Committee.
- Charter Schools: **HB 421** would encourage corporations to partner with charter schools by allowing half of the seats in the school to be filled by children of the corporation employees, a minority percentage of the seats on the boards that govern the charter schools, and the corporations to provide "a facility or land to the charter school." **LAE opposes** this legislation. This bill passed the House Education Committee and the full House of Representatives. It's now assigned to the Senate Education Committee for discussion.

Retirement Legislation

- Retiree Return-to-Work: **HB 369** and **HB 417** would allow retirees to return to work as substitute teachers without loss of retirement benefits. Limitations would be placed on earnings. **LAE supports** this legislation with amendments on earnings limitations. **HB 417** passed both the House Education Committee and the full House of Representatives and has been sent to the Senate Committee on Education for discussion.
- Higher Ed Return-to-Work: **HB 150** would allow a retiree to return to work as an adjunct professor without loss of retirement benefits. Limitations would be placed on earnings. **LAE supports** this legislation with amendments on earnings limitations.

The LAE Lobby Team will update these bills regularly for your reference. Go to www.lae.org/cms/2011+Legislative+Session%3A+Bills+to+Watch/212.html to track the progress of each bill.

SIGN UP FOR CAPWIZ TODAY AND ASK YOUR FRIENDS TO SIGN UP TOO!

We use the Capwiz XC online advocacy e-mail system to draw attention to pressing political issues. By using Capwiz, the LAE Lobby Team can distribute urgent messages to members quickly and make immediate requests for action. Go to www.lae.org and click on "Capwiz XC" to register. If you've signed up in the past and haven't used the system recently, you must sign up again. Please pass this message along to any colleagues who may be interested in receiving Capwiz updates.