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### **Republican Victories from the 2005 Legislative Session**

BATON ROUGE, LOUISIANA ---The Louisiana Republican Legislative Delegation is pleased to highlight some of the legislative victories from the 2005 Legislative Session. Members of the delegation were instrumental in passing and/or defeating the following legislative instruments:

#### ***Taxes***

- Republicans led efforts to kill more than \$600 million in new taxes proposed at a time when the budget increased year over year better than \$450 million.

#### **\$300 million Tobacco Tax**

The Tobacco tax was totally unnecessary. Over the course of the session, Republicans tried to increase teacher pay within the budget. On the House floor attempts were made to move pay raises above the line. On the Senate floor, a detailed proposal was made to increase teacher pay. It failed due to Administration objections. On Monday however, a bipartisan group of Senators increased teacher pay over the strenuous objections (behind the scenes) of the Administration. Since that time, Republican and Democratic leaders have discussed detailed cuts to budget restorations and shifting of funds between HB1 and the supplemental appropriations bill to further increase teacher pay. However, the administration has fought any additional increase every step of the way.

Today on the House floor, Rep. Alario admitted that the originally proposed budget was balanced given the passage of the Hospital Tax, the increase in the private pay provider fee, and the defeasance of outstanding debt. With this

admission, had teacher pay really been a priority of the Administration, the State could have easily included a teacher pay raise from the recurring portion of the \$192 million in additional FY 05 monies and \$168 million in FY 06 monies. Please review the exchange between Rep. Alario and Rep. Tucker on the Internet at approximately 4:45 pm. Again, the money is there; the Administration's will is not.

Other taxes bottled up in committee or died on the Floor:

\$15.9 million Alcohol Tax  
 \$4.8 million Hotel/Motel Occupancy Tax  
 \$15.8 million Gambling Tax  
 \$4.8 million Hospitality Tax  
 \$4.4 million Automobile Rental Fee  
 \$10.6 million Hotel/Motel LSED Tax  
 \$45 million Cell Phone Tax

**\$300 million Hospital Tax (the only one that passed)**

- Sen. Tom Schedler – SB96 provides for the notice to be given to taxpayers concerning certain property tax assessments and meetings to increase millage rates without voter approval.
- While comparable legislation passed under the authorship of Democratic colleagues, several Republican legislators filed bills and spearheaded successful fiscal measures important to the growth of the Louisiana economy including:

Louisiana Headquarters & Growth Act – Sen. Bob Kostelka & Rep. Tim Burns  
 Motion Picture Tax Credit Program – Rep. Steve Scalise  
 Music and Video Tax Credit – Sen. Mike Michot  
 Angel Investor Tax Credit Program – Rep. Tim Burns

***Appropriations***

- Rep. “Peppi” Bruneau – HB393 funds the contractual obligation of the State of Louisiana to the New Orleans Saints, increases the amount of monies dedicated for deposit into the Beautification and Improvement of the New Orleans City Park Fund, and other funds, from the Pari-Mutual Live Racing Facility Gaming Control Fund.
- Republicans pushed hard for a minimum \$1,000 teacher pay raise through budget amendments and prioritization of funding, arguing that new monies should go into the classroom. The budget calls for a minimum of \$530 per teacher.
- Sen. Arthur Lentini – SB44 requires the Joint Legislative Committee on the Budget to approve certain vehicle purchases for use by statewide elected officials except the governor and lieutenant governor.

***Revenue***

- Sen. Bob Kostelka – SB259 provides for the calculation of a deduction from Louisiana income for interest expense applicable to investments which produce or which are held for the production of allocable income.

### ***Education***

- Rep. Mike Powell – HCR77 provides for implementation of the “First Class Education Plan” which requests BESE to implement rules that require 65% of instructional monies are spent in the classroom. Currently, 60.28% of Louisiana’s funding is in classroom expenditures.
- Republicans pushed hard for a minimum \$1,000 teacher pay raise through budget amendments and prioritization of funding, arguing those new monies should go into the classroom. The budget calls for a minimum of \$530 per teacher.
- Killed the university and tuition fee increase proposal in a bipartisan effort with the Black Caucus.
- Protected the Tuition Opportunity Program for Students (“TOPS”) from means testing.
- Rep. Beard - HB797 authorized the creation of the Louisiana Film Institutes, which allows state universities and colleges to build the necessary infrastructure for the training and education of students in the fast-growing film industry in the state. The facilities also allow for film production and post-production work to be conducted while providing students with opportunities for apprenticeship programs.
- Rep. Jane Smith – HB886 provides relative to alternative educational programs for certain adjudicated students and those in the custody of the office of youth development.
- Rep. Nita Hutter – HB178 prohibits, except under certain circumstances, public school boards and nonpublic schools and school systems from hiring specified persons convicted of certain crimes.
- Rep. A.G. Crowe – HCR39 expresses support for the practice of prayer at the beginning of school board meetings, recognizes that such prayer is a protected act, and disapproves of a court decision ruling that such prayer is unconstitutional.
- Rep. Tim Burns – HB613 establishes the Vouchers for Students in Failing Schools Pilot Program in Orleans Parish. While this effort failed in the Senate, it was the first time a voucher program advanced beyond its initial committee.

### ***House and Governmental Affairs***

- Rep. Mike Powell – HB415 eliminates the January election date for bond, tax, and other proposition elections.
- Rep. Peppi Bruneau – HB423 the Omnibus Election Code Bill makes various changes to the election code to promote voter participation.
- Rep. Pete Schneider - HB311 (Act 75) provides a modified defined benefit plan for persons in LASERS hired on or after January 1, 2006.
- Rep. Pete Schneider - HB658 (Act 9) - ground breaking legislation which is gaining international attention - relative to state and statewide retirement systems' investment in companies that have business activities in countries supporting or sponsoring terrorism.

### ***Health and Welfare***

- Rep. Pete Schneider: HB544 (Act 25) enacts the "Pain Management Clinic Drug Abuse and Overdose Prevention Act".
- Rep. Nita Hutter – HB749 provides for licensing for pain management clinics.
- Rep. John LaBruzzo – HB558 calls for the return of drugs to penal institutions.
- Rep. Beard - HB675, the Human Dignity Act, is the legislation that brings clarity to the Living Will Statutes and provides for suggested language which individuals can utilize to make clear and informed decisions relative to their end-of-life situations. It also would prevent the "Terry Schaivo" situation from occurring in Louisiana. It also provides a policy statement that, in the state of Louisiana, human life is of the highest and inestimable value through natural death.
- Rep. A.G. Crowe – HB242 requires certain informed consent information to be offered to rape and incest victims prior to obtaining an abortion.

### ***Insurance***

- Rep. Tucker – HB69 Creates a Liability Insurance Discount for Active Duty Military personnel.
- Rep. White - HB761 allows air bags to be omitted from calculation to determine if a vehicle is a total loss under the insurance policy, if the policyholder agrees.

### ***Natural Resources***

- Rep. Gordon Dove – HB197 creates the Coastal Passes Stabilization and Restoration Program and Fund.
- Sen. Walter Boasso – SB311 creates the Louisiana Waterways Infrastructure and Development Fund and the Louisiana Waterways Infrastructure Development Bank.

### ***Labor***

- Sen. Dardenne – SB158 provides protection for child actors by insuring that teachers are provided on location and that 15% of all earnings are placed in trust.

### ***Crime***

- Sen. James David Cain – SB24 provides relative to the sale or possession of certain substances used to manufacture methamphetamine
- Rep. Jane Smith - HB88, known as the "Trey Bill," requires persons who commit violent crimes against a peace officer to register with law enforcement and assesses fees for registration.
- Rep. Jane Smith - HB106 (Act 38) provides for issuance of search warrants for DNA material or other bodily samples
- Rep. A.G. Crowe – HCR155 to require sex offenders to register BEFORE they are released from prison
- Rep. Hunter Greene – HB547 creates the crime of computer-aided solicitation of a minor.
- Rep. Kay Katz – HB56 creates the crime of human trafficking.

- Rep. Tank Powell – HB17 increases the time for instituting criminal prosecution for certain sex offenses against children.
- Rep. Michael Strain – HB20 prohibits the production, manufacture, and distribution of hallucinogenic plant products.

### ***Governmental Affairs***

- Rep. “Mert” Smiley – HB386 abolishes certain boards, commissions, authorities, districts, and like entities shrinking the size of state government.
- Rep. Ernie Alexander - HB405 place term limits for the Lafayette Parish School Board subject to voter approval.
- Rep. Shirley Bowler – HB208 requires an agency to comply with the final order or decision of an administrative law judge issued following adjudication by the division of administrative law.
- Rep. Wayne Waddell – HB336 allows qualified voters to vote during a certain time period prior to the day of election and expands hours for such voting.

### ***Civil Law Procedure***

- Sen. Bob Kostelka, Rep. Ronnie Johns – SB258 (Act 1) limits the liability on damages under the Louisiana Governmental Claims Act.
- Rep. Shirley Bowler – HB308 resolves conflicts of law in favor of Louisiana when out-of-state plaintiffs right of action has expired manufacturers.

### ***Judiciary***

- Rep. Tank Powell – HB101 authorizes driver’s license suspension for offenses involving unlawful purchase or possession of alcoholic beverages.
- Sen. Robert Barham – SB196 defines component parts of buildings or other constructions.

### ***Transportation, Highways and Public Works***

- Rep. Loulan Pitre, Jr. - Louisiana Transportation Authority has closed on a bond sale for its first project, a \$200 million elevated bridge and highway from North of Leeville to Port Fourchon, the largest oil & gas port in the nation. The bonds will be re-paid by tolls on the new highway, providing a model for innovative financing of large highway projects.
- Sen. Craig Romero – SB141 extends the authority to issue special permits to owner/operators of vehicles hauling sugarcane who have not added an additional axle on the trailer.
- Rep. A.G. Crowe – HB744 restricts the duplication of motor vehicle keys based on vehicle identification numbers.
- Rep. Mike Strain – HB390 (Act 58) removes levee districts’ ability to force a tax on commodities grown in the boundaries of the district.