



Police Jury Association

NEWS LETTER

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2010 REGULAR SESSION LEGISLATIVE REPORT #9

RETIREMENT CHANGE DEFEATED AGAIN!! SB 100

SB 100 by Sen. Butch Gautreaux, upon request of the PERS Board, proposed to change the terms for everyone in PERS who has yet to retire, including those persons who were already vested. The proposal was to change the calculation of Final Average Compensation from 36 months to 60 months. This would have had the effect of reducing the ultimate retirement benefit the member would have collected upon retirement. Back on April 27th the Senate rejected SB 100 on a vote of 6 yeas to 23 nays, but through a procedural move the bill was passed out of the Senate on Wednesday evening during consideration of "non-controversial bills" and passed 31-2. It was then set for hearing the very next morning in the House Retirement Committee. The House Retirement Committee heard the bill and rejected it on a vote of 6-1. Thanks to the members of the House Retirement Committee who stood with the PJAL: Reps. Doerge, Cortez, Henderson, Hoffman, Montucet, and Pope. Chairman Pearson also expressed his opposition to the bill. **We will continue to monitor this issue to ensure that the bill does not resurface again.**

You, the members of the PJAL, responded fantastically to our Legislative Alert, on very short notice, and your contacts to your Legislators were a crucial part of our success in defeating this measure AGAIN!

DISPUTES ON LOCAL SALES AND USE TAX MATTERS SB 567

SB 567 by Sen. Morrish is designed to overhaul the arbitration process as an option to resolve disputes over local sales and use taxes. While we oppose the current language of the bill, Senator Morrish has continued to address our concerns and we anticipate a set of amendments that will make the bill agreeable to local collectors, taxing bodies and the business lobby. The bill is scheduled for hearing in the House Ways and Means Committee on Monday, June 14th. Please urge your House members to support SB 567 **ONLY IF THE PJAL AGREES**. Below are the members of the House Ways & Means Comm.

Greene, Chairman / Smith, Jane, Vice Chairman / Baldone / Barras / Burrell / Carter, S. / Danahay / Henry / Hoffmann / Jackson, G. / Jackson, M. / Nowlin / Perry / Richard / Richmond / Ritchie / Robideaux / Templet

CULVERT BILL AMENDED BUT MOVING FORWARD HB 941

HB 941 by Rep. Mills is the bill drafted in response to Resolution No. 7, unanimously adopted at the 2010 PJAL Annual Convention in Calcasieu Parish. This bill proposes to take the various statements of law the control when and under what circumstances a parish or municipality is allowed to install a culvert. Currently the law has to be collected by reading statutes, Constitutional provisions and AG opinions. This single statute will not change to law but will put it in one statute so that it is easily read and understood. The bill was amended on the Senate Floor at the request of Sen. McPherson. Unfortunately those amendments appear to conflict with language that was added to the bill in Senate Committee and as originally drafted. Those issues should be able to be corrected in a Conference Committee, which is a process whereby three Senators and three House members review the bill and recommend a final version to be voted on by both the House and the Senate.

Urge your Representative and Senator to support the Conference Committee report on HB 941.

REGULATION OF PROPANE TANKS
HB 1321

HB 1321 by Rep. M. Jackson (Baton Rouge) proposes to limit the ability of local governments to regulate the location of propane tanks. We attempted to work with the proponents of the bill to come to language that was agreeable to all parties. Unfortunately the tentative agreement fell through. The PJAL has proposed amendments to the bill that would remove our opposition and Senators Appel and Thompson are working with us on those amendments. At present we are waiting to see if the proponents of the bill, the Propane Association, can agree to our proposed language. At this point we are opposed to the bill unless it is amended as we have proposed. The bill is scheduled next to be heard on the Senate Floor.

CONTACT YOUR SENATOR AND URGE HIM TO OPPOSE HB 1321,
UNLESS THE PJAL AMENDMENTS ARE ADOPTED
Local governments should be able to provide for the safety of their constituents!

EMERGENCY PREPAREDNESS RULES
HB 1214

HB 1214 by Rep. White is the bill that attempts to clarify the process of entering into and exercising mutual aid compacts among the various parishes by setting up a committee within the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP). We worked with the author and the Governor's Office of Homeland Security and Emergency Preparedness, and they have accepted our amendments. The amendments removed our concerns that the bill would impair the authority of the Parish President during an emergency. After our amendments were added the bill passed the Senate, unanimously. It will now go to the House for concurrence in the Senate amendments.

Urge your Representative to CONCUR in the Senate Amendments to HB 1214

LOCAL GOVERNMENT LOBBYISTS
SB 507

SB 507 by Sen. Lydia Jackson (Caddo) proposes to extend the rules for "lobbyists" to person who attempt to influence local government officials. Currently a person is not a LOBBYIST unless they are employed or paid to urge the passage or defeat of bills before the Louisiana Legislature or the actions of members of the Executive Branch of State government. Those persons have registration and monthly disclosure requirements under rules enforced by the LA Board of Governmental Ethics.

SB 507 passed out of the House committee this past week but faced an objection on the House Floor that the registration fee imposed on the newly created category of local lobbyists was out of order, as all fees are supposed to originate in House Bills. The House amended the bill to remove the reference to the "fee" and referred the bill to the Legislative Bureau for a review of any other needed technical changes. The bill will likely be considered on the House Floor next week.

The PJAL has not taken a formal position on the bill, but we continue to monitor it as it is of interest to Parish government and those vendors and other persons with whom you interact.

SUBMISSION OF MINUTES FOR PUBLICATION
HB 437

HB 437 by Rep. Richardson extends the deadline to submit for publication the minutes of a meeting of a police jury, town council or school board from 10 days to 20 days. This should make it easier on your staff to get the minutes submitted to the official journal. The bill became final on June 7th and is currently awaiting signature by the Governor.

CONSTITUTIONAL AMENDMENT
RETIREMENT BILLS
HB 229

HB 226 by Rep. Pearson was finally adopted and will place on the Nov. 2nd ballot a proposed Constitutional Amendment that would require a 2/3's vote of both the House and Senate to pass any future legislation regarding a public retirement system when the legislation would have an actuarial cost to the public retirement system. This should make it less likely that future changes to public retirement systems will be made if those changes would be to the financial detriment of those systems.

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