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# HOUSE NOTES

The Latest News from the State Capitol  
Louisiana House of Representatives  
June 22, 2007

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With final adjournment looming, the Senate completed debate this week on the \$29.7 billion state budget ([House Bill 1](#)), sending it back to the House for concurrence or rejection of the Senate amendments. The House concurred, sending the bill to the governor and avoiding further deliberation in conference committee. The House voted 84-20 to approve [House Concurrent Resolution 10](#) which raises the state spending cap. The Senate agreed, voting 29-5 to approve the measure.

The House also passed [House Concurrent Resolution 208](#), the spending plan for elementary and secondary schools. The funding formula increases spending for the 2007-2008 school year by \$209 million. The legislature can approve or reject the plan, but cannot amend it.

A number of tax credit bills also passed the House or House committee this week. [Senate Bill 3](#), which establishes an annual "sales tax holiday, [Senate Bill 155](#), which provides for a refundable child tax credit against individual income tax of 10% of the federal child tax credit, and [Senate Bill 341](#), which provides a refundable state earned income tax credit equal to five percent of the federal earned income tax credit.

To date, the governor has signed 109 bills. Final adjournment must occur no later than 6 p.m. Thursday, June 28.

## TAX CREDITS

Under [Senate Bill 361](#) the Dept. of Social Services would create a rating system

for day care centers. Those with the best rating would get 5 stars and the worst would get one star. Qualified parents of children 5 years of age or less would receive tax credits ranging from \$1500 for children enrolled in the centers rated the best (5 stars) to \$750 for those centers receiving a two-star rating. There would be no tax credit for non-participating centers or those receiving a one-star rating.

Additionally, the day care center and its employees would be eligible for tax credits with the amount again depending upon the center's rating. The range for the centers is from \$1500 to \$750, and the break for directors and staff ranges from \$1,500 to \$3,000.

The bill was unanimously approved by the House Ways and Means Committee and awaits House floor consideration.

## ART & MUSIC IN SCHOOLS

\* [Senate Bill 299](#), which is pending House final passage, would require the state Board of Elementary and Secondary Education to develop and implement both a visual arts curriculum and a performing arts curriculum in public schools

The proposed law requires BESE to collaborate with the Department of Culture, Recreation and Tourism to develop curriculum guidelines by July 1, and for professional development and training for teachers, school administrators, and professional practicing artists during the 2008-2009 school year. A pilot arts programs would be implemented during the 2009-2010 school year. Full implementation of the arts curriculum would

begin in the 2010-2011 school year for all public school students K-8, who would receive 60 minutes of arts instruction a week

Beginning with the 2010-2011 school year, all public high schools would be required to offer instruction in visual and performing arts.

Finally, the arts program is subject to legislative appropriation of funds.

## **NURSING HOMES**

\* [Senate Bill 82](#) would add "serious mental harm" to the list of Class B violations related to conditions of the operation and maintenance of nursing homes. The bill would also increase aggregate fines for a Class A repeat violation from \$10,000 to \$20,000 in any one month, and increase aggregate fines for Class B violations from \$10,000 to \$15,000 in any one month.

Only one civil penalty would be allowed for a violation of which multiple federal tags have been cited. .

SB82 also provides that any nursing facility that has begun construction of a replacement facility during the period of the moratorium on replacement facilities shall be eligible to apply for a license after June 30, 2008.

DHH would be required to adopt remedies for nursing home facilities that violate licensure standards, certification requirements, or Medicaid standards. These remedies may include the denial of payment; appointment of temporary management; the closure of a facility; the transfer of those receiving services; alternate remedies to deter noncompliance; and to correct deficiencies.

Finally, DHH may petition a court to judicially enforce the rules.

Senate Bill 82 is pending House consideration.

## **EARLY VOTING FOR SENIORS, HANDICAPPED**

\* The House approved [Senate Bill 105](#) which would permit voter-qualified senior

citizens over the age of 65 and physically disabled qualified voters who submit a mobility impaired identification card to the registrar of voters to vote absentee by mail.

The applicant's eligibility to vote absentee by mail is valid for one year. The registrar would be required to notify such voters in writing of the date the application becomes invalid.

## **CRIME/PUNISHMENT**

\* [Senate Bill 147](#) would provide a district attorney the option to seek a capital verdict or to not seek a capital verdict against an offender who has committed first degree murder, in accordance with the determination of a jury.

If the district attorney seeks a capital verdict, the punishment would be the same as present law. If the district attorney does not seek a capital verdict, the offender shall be punished by life imprisonment at hard labor without benefit of parole, probation or suspension of sentence.

Senate Bill 147, passed by both houses of the legislature, is awaiting the governor's signature.