

2019 PUBLIC POLICY POSITIONS OF THE LWVLA

REPRESENTATIVE GOVERNMENT, STATE OF LOUISIANA

Campaign Financing

The League of Women Voters of Louisiana (LWVLA) believes that changes must be made in the methods of financing political campaigns in order to make our government more accountable, more representative and more responsible to all our citizens. The goals of a campaign financing system should be:

- a. To ensure the public's right to know
- b. To combat corruption and undue influence
- c. To enable candidates to compete more equitably for public office.

Collective Bargaining

The LWVLA:

- a. Supports a comprehensive labor-management law on the state level regulating collective bargaining procedures for all categories of employees in the public sector
- b. Opposes an unlimited right for public employees
- c. Supports a limited right to strike for public employees under certain restrictions which promote the public health and safety and which insure complete utilization of impasse procedures
- d. Supports compulsory arbitration when impasse persists.

Constitution

The LWVLA supports a state constitution that conforms to the following criteria:

- a. Should be fundamental law, free of statutory material
- b. Should be written in clear and simple language
- c. Should provide for the checks and balances among the three branches of government
- d. Should be reasonably easy to amend
- e. Should provide for majority rule as basic to our democratic form of government, along with protection of individual rights of citizens
- f. Should allow for intergovernmental cooperation.

Ethics (*Adopted from LWV-Connecticut by concurrence, 2013*)

The LWVLA believes that the public should have confidence in the integrity of its government. Government officials and employees should be held accountable for

carrying out their duties in both an effective and an ethically responsible manner. To these ends, the LWVLA supports actions to:

- a. Reform, strengthen, and clarify Louisiana's codes of ethics as they apply to public officials, public employees, and lobbyists
- b. Require a transparent, competitive, and clearly defined state-contract selection process
- c. Promote the establishment of parish and/or municipal ethics commissions and ethics codes as applied to parish and municipal public officials, public employees, and lobbyists
- d. Ensure the existence of strong, effective, independent watchdog agencies, such as the Louisiana Ethics Administration, Louisiana Legislative Auditor, and the Office of State Inspector General
- e. Support the allocation of resources necessary for these offices to fulfill their responsibilities.

Fiscal Policy

The LWVLA supports measures to improve the state tax system:

- a. Sound administrative tax policies, conforming to criteria of tax certainty and stability, minimum cost of compliance and collections, and enforceability
- b. Equitable taxation based on the principles of ability to pay and/or benefits received, with future revenues based on ability to pay.

The LWVLA opposes:

- a. Any state imposed limitations on local governments' tax rates for property, sales, or other
- b. State imposed exemption of manufacturing establishments from local property taxes.

The LWVLA affirms its support of elimination of the homestead exemption from property taxes and supports, as replacement, some form of circuit breaker, with relief to be granted primarily on the basis of income.

(Adopted from LWV-Illinois by concurrence, 2013)

The LWVLA supports a diversified revenue system which

- a. Principally relies on a combination of broad-based taxes and user fees
- b. Is equitable, progressive, stable, responsive and simple
- c. Overall is based on the following criteria:
 - 1) Equity: Imposes similar amounts of tax on taxpayers in like circumstances
 - 2) Progressivity: Is based on ability to pay so that those with greater ability pay a greater percentage of their income.
 - 3) Stability: Provides a stable source of revenue

- 4) Responsiveness: Is able to capture and reflect long-term economic growth
- 5) Simplicity: Is easy and efficient to administer and is understandable to the taxpayer.

The LWVLA supports

- a. A progressive income tax with a graduated rate schedule
- b. A broad-based sales tax with exemptions for food and medicines to reduce the impact on low-income person
- c. The use of the property tax for partially financing education and local government and services
- d. Uniform, efficient and professional tax assessment procedures.
- e. User fees that are structured and levied with sensitivity to low-income persons.

The LWVLA supports achieving policy goals through direct expenditures rather than deductions, exemptions and credits. If deductions, exemptions and credits are used, they should:

- a. Decrease the tax burden on lower income persons and further overall progressivity
- b. Be periodically reviewed to justify continuation
- c. Be the most efficient means of achieving their intended purpose.

State Pension System for Public Employees (*Approved by the LWVLA Convention, March 15, 2015 following state study and consensus*)

The LWVLA:

- a. Believes public employers must provide sufficient incentives to compete with the private sector in the labor market for the recruitment of competent and effective employees
- b. Supports, when necessary, increasing state revenues to fully fund each state pension system through additional taxation, fees, thorough collection of revenues, and reducing tax exemptions, tax credits and tax rebates, because the state has a constitutionally mandated contractual relationship with its employees regarding their pension benefits and the state has a constitutional obligation to maintain actuarial soundness and long-term solvency in meeting this contract
- c. Encourages state officers and legislators, before a vote is taken, to scrutinize proposed retirement bills and proposed amendments for their compliance with federal and state constitutional and statutory requirements, cost effectiveness, and actuarial effects on the state retirement system's long-term solvency
- d. Towards such scrutiny, supports provision of time sufficient for the review, analysis and reporting by the Legislative Auditor on the legal and actuarial

effects of retirement bills and of any amendments to retirement bills affecting the state pension systems

- e. Supports raising the retirement age for full pension benefits in the state retirement systems for the hiring of new non-hazardous duty public employees in keeping with the same age requirements as Social Security
- f. Has no consensus on retirement age requirements for hazardous-duty employees
- g. Recognizes that without some periodic increases (COLAs or PBIs), the buying power of pensions is eroded
- h. Supports balancing fairness to the current government employers, public employees, and taxpayers with fairness to the future government employers, employees and taxpayers as the legislators consider proposed changes in benefit plan features, funding, or structure for new hires of state public employees and as the Public Retirement Systems' Actuarial Committee (PRSAC's) estimates the discount rate and sets the public employers' annual contribution rate
- i. Acknowledges that this standard, which is supported in much of the professional literature, requires public discipline to make the necessary actuarially determined contributions, keep politics out of this obligation, and use a discount rate in calculations that is neither overly optimistic or overly pessimistic
- j. Supports wide public notification, engagement and transparent discussion of any proposed major changes in benefit features or structure for pension benefits for new state employees.

Local Taxes

The LWVLA:

- a. Believes the distribution of state revenues to local government is an appropriate source of local revenue
- b. Opposes statutory limits on local government's ability to raise taxes and spend revenue
- c. Believes local services mandated by the State should have state appropriations linked to the mandate.

Policy, Programs, and Performance

The LWVLA believes that Louisiana State government policy, programs, and performance must meet these criteria:

- a. Adequate financing and effective enforcement
- b. Competent personnel
- c. Coordination among agencies and levels of Government
- d. Fiscal accountability
- e. Home rule in determining local matters

- f. Well-defined channels for citizens' input and review
- g. The League will take action to ensure these criteria in areas of program when such action is deemed advisable by the board.

Office of the Assessor

The LWVLA supports measures to mandate professional qualifications for the assessor and assessor's staff.

Registration and Election Laws

The LWVLA supports equitable registration and election laws that protect the right to vote of every citizen and their efficient implementation:

- a. Strictly enforced qualifications for commissioners to ensure competent personnel
- b. More liberal absentee registration and voting requirements
- c. Simple and clear ballots and election procedures.

JUSTICE

The LWVLA believes the basic purposes of a correctional system are the protection of society and safe rehabilitation of the offender.

Early Intervention

The LWVLA supports intervention targeted to children targeted at risk or identified with social, emotional, or developmental problems including but not limited to:

- a. Abuse
- b. Delinquency
- c. Developmental disability
- d. Education failure
- e. Exposure to violence abuse
- f. Neglect
- g. Poverty
- h. Youth or parental mental illness
- i. Youth or parental substance

Correctional System - Juveniles

The LWVLA supports:

- a. A coordinated and standardized system of interventions both from the state level and community-based level for juvenile wellbeing to prevent and reduce the number of children entering the juvenile justice system.

- b. A coordinated and standardized system of juvenile corrections, financed at the state and, providing for:
 - 1) Commitment to correctional institutions on the basis of:
 - 2) Seriousness of crime
 - 3) Number of crimes
 - 4) Protection of society
 - 5) Age of offender
 - 6) Uniformity of treatment
 - 7) Statewide collection of data according to a uniform system
 - 8) Care, education, protection of the rights of the child
 - 9) Diagnostic testing for serious habitual offenders
 - 10) Community correctional centers
 - 11) After-care facilities

Correctional System – Adults

The LWVLA supports:

- a. A comprehensive study of Louisiana sentencing law
- b. Alternatives for incarceration including community-based treatment and expansion of the work release program
- c. Mandatory pre-release planning for all inmates who are about to exit the Department of Corrections
- d. Work release for all inmates who exit the Department of Corrections
- e. Adequate funds to increase vocational/educational opportunities in the prison
- f. Strict selection criteria in selecting inmates to be placed in community correctional centers
- g. Community correctional programs to be implemented with restitution to victims by offenders
- h. Utilization of reliable and proven risk scales by the judiciary
- i. A parole board and a pardon board with members professionally trained fields related to criminal justice
- j. Utilization of reliable and proven risk assessment scales by the parole board
- k. Probation fees to help defray the cost of probation services

Funding Louisiana’s Public Defenders Office

The LWVLA believes that constitutionally mandated rights should be protected. The Sixth Amendment states, “in all criminal prosecutions, the accused shall enjoy the right...to have the assistance of counsel for his defense.” Subsequent court rulings have expanded that right to include defense of the indigent. Unstable, inadequate, inequitable, or unreliable funding of public defense jurisdictions in Louisiana jeopardizes the right of indigent criminal defendants to competent, effective counsel.

In order that Louisiana’s public defense jurisdictions uphold their constitutional obligations, the LWVLA supports reforms to public defense funding:

- a. Provision of stable, reliable, adequate and equitable funding to each public defender jurisdiction.
- b. Provision of equitable benefits to the employees of Louisiana's public defense system as a governmental subdivision.
- c. Reduction in the demand for services by reclassifying certain minor and nonviolent offenses to remove imprisonment as a consequence.

Merit Selection of Judges

The LWVLA believes:

- a. The state of Louisiana should choose its judges by a merit selection system, which would be fair, objective, and representative of the citizenry.
- b. In order to maximize public input, the judicial nominating process should not be dominated by the judiciary; therefore, judges should not serve as nominating commissioners nor should judges be appointed to chair the commissions.
- c. Groups whose primary purpose is to endorse or support candidates should not be a part of the nominating process.

NATURAL RESOURCES

Environmental Quality

The LWVLA believe that the financial cost of waste disposal is the primary responsibility of the generator and/or disposer under a strong state management program.

The LWVLA of Louisiana supports

- a. A natural and scenic rivers system
- b. Preservation of areas of unique ecological systems, particularly the coastal wetlands and the Atchafalaya Basin
- c. Protection of ground and surface water integrity through a program of integrated usage of surface water, ground water, and reclaimed wastewater for private and commercial purposes. *(Updated by LWVLA, 2013)*
- d. Public policies to reduce the generation and promote the reuse and recycling of solid and hazardous wastes.

Integrated Resource Planning *(updated "Least-Cost Energy Planning position, 2013)*

The State of Louisiana should use least-cost energy Integrated Resource Planning (IRP) concepts in development of energy policy. IRP takes into consideration the environmental impacts of energy sources and the regulatory requirements associated with each energy source.

Water Resources *(Adopted from LWV-Connecticut by concurrence in 2013)*

The LWVLA supports:

- a. State policies and programs which promote comprehensive long-range planning for conservation and development of land and water resources.
- b. Planning that considers the interaction of our natural resources with each other as well as their relation to the needs of our growing population
- c. Enforcement of regulations to improve water quality
- d. Provision for an adequate staff to implement programs
- e. Acquisition and preservation of open space land, including inland wetlands and tidal marshes
- f. A regional approach to planning adequate and equitable financing of state programs
- g. Establishment of clear lines of authority and coordination of policy among state agencies.

SOCIAL POLICY

Child Care Centers

The LWVLA supports:

- a. Mandatory licensing of child care centers to provide for minimum standards including:
 - 1) Safe, clean physical environment
 - 2) Appropriately trained, qualified staff
 - 3) Suitable ratio of staff to children
 - 4) Minimum curriculum guidelines or program of activities.
- b. The use of injunctive powers in the closure of childcare centers through civil as well as criminal procedure

Human Trafficking *(Adopted from LWV-Ohio by concurrence, 2013)*

The LWVLA supports policy changes that will assist the victims of human trafficking and a comprehensive strategy from all levels of law enforcement to identify, prosecute, and reduce the demand for commercial sex.

The LWVLA believes that human trafficking is an issue that requires changes to our public policy including:

- a. Human forced labor and sex trafficking should be stopped through legislation and changes in public policy.
- b. Victims of human trafficking should be provided with services on an as-needed basis to facilitate integration into the community, including but not limited to counseling, drug and alcohol treatment, safe housing, physical and mental health care, legal representation, job training, ESL/GED/education and employment assistance.

- c. Minors who have been commercially sexually exploited or forced into slave labor should be legally considered as victims and given special physical and mental health care.
- d. Cooperation and collaboration among state and local agencies is necessary to enforce prohibitions and prosecute traffickers and other offenders and consumers.
- e. There should be aggressive enforcement of laws dealing with traffickers and offenders and consumers.
- f. Strategies to reduce the demand for commercial sex and forced labor trafficking should be employed by law enforcement agencies and the courts. One example would be court-ordered attendance at “john schools”.
- g. Training and education of the public, law enforcement, and service providers should be widely available.

Internet and Media (*Adopted from LWV-Connecticut and LWV-Lafayette’s 2008 study by concurrence, 2013, where noted*)

The LWVLA supports government policies that promote:

- a. Broadband, wireless, and other means of high-speed Internet deployment throughout the state
- b. Access to high-speed Internet, without charge, through schools, libraries, and other secure public buildings
- c. State efforts to protect the open, neutral, nondiscriminatory nature of the Internet
- d. Adequate protection, promotion, and funding of community access television channels regardless of the provider of TV/video services to Louisiana residents
- e. Government provision of opportunities for citizen participation in decisions regarding Community access TV
- f. The creation of municipal and cooperative telecommunications networks and opposes the imposition of any regulation or condition on such networks that are not borne by the private sector.

The League believes that a free and open Internet is increasingly important to the protection of individual liberties including freedom of speech, freedom of the press and freedom of association. These liberties are guaranteed by the U.S. Constitution and by the Louisiana Constitution.

The League also believes that net neutrality protections are essential for political discourse, dissemination of news, and democratic participation. Therefore, LWVLA supports the LWVUS position to protect the open, neutral, nondiscriminatory nature of the Internet.

Efficient, high speed access to the Internet for all Louisiana residents, regardless of geographic location or neighborhood demographics, is a necessity for assuring equal access to local and state government, for maintaining openness and transparency in government activities, for communicating with legislative leaders, for engaging in

political discourse, for competing in the global marketplace, and for assuring that voters receive the information they need to participate in our democracy.

The League believes that community access television channels, for public, educational, and governmental (also known as PEG) programming, must be adequately protected, promoted, and funded, regardless of the provider of TV/video services to Louisiana residents. Statewide public affairs programming must be adequately protected, promoted, and funded by the state legislature and available to all Louisiana residents, regardless of the provider of TV/video services. Government should provide opportunities for citizen participation in decisions regarding community access, or PEG, TV.

Access to the public airwaves through modern TV/video communication is essential to the public interest and to the League's mission and purpose-to protect civil liberties, to ensure open, transparent government, and to promote the public's right to know. To protect the public interest, high quality PEG transmission and PEG availability on basic service tiers are essential.

HEALTHCARE

Affordable Care Act

The LWVLA supports the Affordable Care Act (ACA) including Louisiana's ~~of the~~ Medicaid Expansion component of the ACA. The League continues to work to educate the citizens of Louisiana on the need for further basic healthcare reforms and accountability. The goal must be a basic level of healthcare that provides access to quality care for all.

LWVLA supports the 1993 LWVUS Positions on Healthcare, which proposed:

- a. A basic level of quality care at an affordable cost for all U.S. residents
- b. A national health insurance plan financed through general taxes in place of individual insurance premiums and/or an employer-based system that provides for universal access. The League opposes a strictly private market-based model of financing healthcare and the administration of the health care system solely by the private sector or the states.
- c. Administration of U.S. healthcare system by a combination of private and public sectors, federal, state and/or regional agencies.
- d. Allocation of healthcare resources based on the urgency of the medical condition, patient life expectancy, expected outcome of treatment, cost of procedure, duration of care, quality of life after the treatment, and the wishes of the patient/family--not on the ability of a patient to pay for services.

In 2010, the LWVUS supported the passage of the ACA. The LWVLA is committed to helping Americans understand the ACA and its pivotal impact on their lives and remains vigilant in light of current efforts to repeal or diminish the law in Congress and in the Courts.

LWVLA concurs with LWVUS 2016 Convention which stated that "Every U.S. resident should have access to affordable, quality in-and out-patient behavioral health care, including needed medications and supportive services that are integrated with and achieves parity with physical health care.

Reproductive Choices

The LWVLA concurs with the 1982 LWVUS Public Policy on Reproductive Choices:

LWVLA believes in the constitutional right to privacy of the individual to make reproductive choices. It actively opposes *attempts* to repeal the reproductive health services provided under the ACA.

Mental Health/Behavioral Care (*Adopted from LWV-Illinois by consensus, 2013*)

The LWVLA supports a comprehensive and coordinated system of treatment and rehabilitation services for adults and children with mental illness.

- a. There should be adequate funding, planning, program standards, and personnel training requirements for both state facilities and community programs.
- b. The League supports a broad array of adequate and accessible community services.
- c. Although primary responsibility should rest with the state, funding from local, federal, and nongovernmental sources should be encouraged.
- d. A system of local boards to levy taxes, administer all funds, and to plan and coordinate services should be required throughout the state.
- e. The State should require local governments to provide in their zoning ordinances for residential programs for persons with mental illness.
- f. The League supports a comprehensive and coordinated system of services for mentally ill adults and emotionally disturbed children and adolescents.
- g. The Department of Health & Hospitals should ensure both adequate state hospitals/partners and community services to treat and rehabilitate the seriously mentally ill. These services should be integrated with those of other state agencies.
- h. The League supports a state mandate that adequate and accessible community services be available for seriously mentally ill persons of all ages. The array of services should include:
 - 1) Screening and evaluation
 - 2) Community hospitalization
 - 3) Medication management
 - 4) Crisis intervention
 - 5) Case management
 - 6) Day treatment

- 7) Life skills programs
- 8) Residential programs
- 9) Job training counseling
- 10) Social and recreational activities
- 11) Educational services
- 12) Family support and respite programs
- 13) Transportation

The LWVLA believes:

- a. The State should provide adequate funding for state facilities and should be the primary source of funding for community-based mental health services. Local government, together with federal and non-government sources, should also contribute to community services.
- b. Funding should be tied to identified needs and effectiveness of services.
- c. State and local government should share the responsibility for planning for community services; implementation should be left to local government.
- d. A system of local boards to administer funds for services for the mentally ill should be required throughout the state.
- e. The boards should have the power to tax and to allocate state and federal funds for community services and for hospitalization of mentally ill persons.
- f. The boards should coordinate and monitor community services.
- g. The State should set and enforce standards for all mental health programs and facilities it funds.

EDUCATION

Public Education

The LWVLA supports adequate funding of public schools and the following measures to strengthen public education at all levels.

- a. An emphasis on a high level (i.e. major proportion of cost born by the state) foundation program with allowance for the greater need of some pupils, provisions for meeting state mandated education achievement goals, and ample opportunities for citizen input
- b. An equalization formula based on local support made uniform by equalization of assessments
- c. An extension of state support to include capital outlay as well as operating expenditures
- d. Appointment of state superintendent by the Board of Elementary and Secondary Education (BESE)

The LWVLA opposes the use of public funds for non-public schools

Charter Schools

The League of Women Voters of Louisiana supports

1. Representative government, transparency, open government, and the Sunshine Act at each level of the governance of charter schools. This includes the charter school board's governance as a political subdivision of the state and in the Board of Elementary and Secondary Education and the local school board's authorization of charter schools.

- Charter school board membership should represent the geographical area of the students attending that school, regardless of type of charter school. Membership should include some representation of the various demographic groups within that school board's jurisdiction as well as at least one parent/guardian of children attending that school.
- There should be a legal process and timeline for the return of a Recovery School District charter school, or schools, to the jurisdiction of the local district school board.
- Information should be available to the public through open electronic access, via the charter school's website, to provide the following information:
 - The charter contract for the charter school between its non-profit corporation and the authorizer
 - Timely public notice that meets Open Meetings law for public bodies
 - A list of current board members and their contact information
 - Approved minutes of each board meeting sequentially for each year and past years
 - The school's most current School Performance Score
 - An explanation of the complaint and appeal process
 - Discipline policies or student/parent handbook containing them
 - Contact information for the school, including address and name of school leader
 - For a school's financial report, the League supports access to financial reports but not necessarily on the school's website.
- The Louisiana legislature should limit authorization of charter schools to two entities, the elected district school board and, as the state's public education appellate body, the Board of Elementary and Secondary Education (BESE).
- The application and approval processes by charter school authorizers should be transparent and equitable, subject to a set of published guidelines for approval and renewal of charter schools.

2. Representative government that holds to account both the boards of charter schools and their contractors through adequate government oversight and control of this public service in order to ensure taxpayer dollars are used efficiently and effectively for that service

- Funding for virtual charter schools should be reviewed and evaluated at required intervals to determine whether their funding level is appropriate.
- To protect the taxpayer's interest, the Louisiana Department of Education and the Board of Elementary and Secondary Education should be required to report publicly the terms of the mortgage or lease of privately owned facilities paid for with public funds.
- Disclosure, oversight, and annual audits of the financial records of not-for-profit and for-profit charter school management organizations should be required.
- As a recipient of public education funds, charter school boards should be required to meet the same procurement requirements as all local education agencies, including competitive bids and public disclosure for:
 - Acquisition of sites
 - Construction of facilities
 - Purchasing of supplies
 - Purchasing of equipment
 - Purchasing of services
- The Louisiana Department of Education should require prompt compliance by charter schools to correct any material findings issued by the Louisiana Legislative Auditor in its review of Types 2, 4 and 5 charter schools.
- All movable property, equipment, and reusable supplies purchased by a charter school with public dollars should be surrendered to the authorizer if the charter closes for any reason.

3. A quality public education that is essential for a strong, viable, and sustainable democracy and is a civil right. Government at all levels shares the responsibility for equality of opportunity for education regardless of race, color, gender, religion, national origin, age, sexual orientation or disability. The League is committed to racial integration of schools as a necessary condition for equal access to education.

- The Board of Elementary and Secondary Education and the Louisiana Department of Education should ensure that students' civil rights are protected in every education setting, including all types of charter schools.
- The Louisiana Department of Education should at regular intervals send staff to monitor a charter school's identification and evaluation processes for student populations suspected of having disabilities.
- Transportation services for all charter schools should be consistent with those required for traditional public schools.

- Transportation waivers issued by the Louisiana Department of Education and the Board of Education should require a public process and provide the public with details outlining the reasons for the waiver.
- The determination of the location of a charter school should be a priority for the authorizer, and a negotiation to determine the location of a charter school should take place between the authorizer (either the local school district or the Board of Elementary and Secondary Education) and the charter school operator.
- Charter school authorization should be contingent upon a detailed review and impact analysis of enrollment across the school district in which a charter school applicant seeks approval.

Sex Education (*Adopted from LWV-Mississippi by concurrence, 2013*)

The LWVLA supports:

- a. Sex education programs in Louisiana public schools which include community awareness as well as specific preventative and follow-up services for pregnant teenagers.
- b. Comprehensive classroom instruction on human reproduction, parenting, sexual responsibility, and sexually transmitted diseases.
- c. Individual counseling and a district-wide policy of follow-up by school officials

Tenure (*Adopted from LWV-New Jersey by consensus, 2013*)

The LWVLA believes that changes in the present system of tenure are essential. It believes that:

- a. Tenure should be retained for teachers, but that modifications both to laws and procedures are necessary. Superintendents and principals should be removed from the coverage of tenure; provisions should be made for them to be covered by multi-year contracts.
- b. The most important modifications needed are those that will strengthen the evaluation process for both probationary and tenured teachers.
- c. The League supports measures that will expedite the dismissal process, making it less burdensome and more equitable.
- d. A reexamination of seniority regulations as they apply to reductions in force is needed.

Value of Public Education (*Adopted from LWV-New Jersey by concurrence, 2013*)

The LWVLA believes the universal education that public schools provide is essential to a democratic society. A private school voucher system will undermine and weaken public schools by reducing fiscal and human resources and community support. LWVLA believes that the public school system can provide choice that will serve a far greater number of students and be designed to reduce stratification and segregation.