EXTRAORDINARY

Special sessions (plural) may be needed

If you still don’t believe the ongoing regular session is a fluid situation due to the COVID-19 emergency, then consider that members of the Appropriations and the Ways and Means committees both mothballed their respective meetings twice within a 23-hour period this week. (The committees’ April 13 meetings were canceled Wednesday and rescheduled for May 4, only to be canceled again Thursday morning.)

Speculation in certain corners of Capitoland is now building for a roughly mid-May legislative return, just prior to the regular session’s June 1 adjournment. But President Page Cortez said he isn’t yet convinced that lawmakers could resurface sooner — and they better if they want any red value out of the regular session. “If we return in mid-May with a mandatory June 1 adjournment, I’m not so sure you can get something accomplished,” Corte said.

A reconvening in early- or mid-May would require a laser-like focus by lawmakers on bills related to the budget, coronavirus, department re-creation and constitutional requirements. If anything else manages to pass during a condensed regular session format, it’ll be chalked up to luck or fate.

Chairmen and chairwomen have been tasked with prioritizing these bills. Legislative leaders, after all, want to make sure there’s actual work to do when lawmakers are reassembled, in whatever shape that eventually takes. Of course,
a full roster would not be guaranteed and attendance may resemble what we saw on the floors two weeks ago — 21 out of 39 in the Senate and 58 out of 105 in the House.

It’s easy to see how one session could lead to another. "Everyone expects a special session," Rep. Stephen Dwight, the chairman of the House and Governmental Affairs Committee, said in an interview earlier this week. (For more from Dwight, see "CHALLENGES FOR REDISTRICTING" below.) Other lawmakers have echoed Dwight’s thinking, predicting a special session will be called to trail the regular session.

It’s premature to paint an accurate picture of the issues that will dominate that summertime special session, but the state will undoubtedly face some serious budgetary and health care issues. Plus there will certainly be follow-up work needed for the policies that emerge from a shortened regular session.

Will one special session be enough, though? Over the past 48 hours there has been another chorus of lobbyists, lawmakers and department hands quietly predicting a building need for a second special session as well.

Asked for his take, Cortez said, "I don’t think you can rule out two sessions this year. Given the conversations I’ve had with economists, everyone will be pulling figures out of the air for the (Revenue Estimating Conference). So whatever you do in the budget you’re going to have address again in the fall."

UNDERWRITTEN BY OUR LADY OF THE LAKE

CORONAVIRUS ADVISORY

Flexing to face COVID-19

Before Covid-19 cases began to soar in Baton Rouge, physician leaders at Our Lady of the Lake went to work reconfiguring the hospital and assembling specialized clinical teams to meet the new demands and lessen the risk of becoming overwhelmed the way some hospitals have in Seattle, New Orleans and New York City.

With a sudden drop in overall hospital patients and the temporary cessation of elective procedures, hospital leaders leveraged that newfound capacity to ramp up care for patients with Covid-19, said Chief Executive Officer Scott Wester.
Physician leaders contacted former peers in Seattle, for example, to learn from that city’s harrowing experiences of providing care while being overwhelmed with new cases. As a result, Our Lady of the Lake acted quickly to stand up whole new ICUs isolated from other patients and with their own clinical teams.

Even for a hospital licensed for 1,000 beds and among the 30 largest hospitals in the country, Our Lady of the Lake continues to tackle the unprecedented challenges Covid-19 presents. But by swiftly flexing medical units and clinical teams, the hospital doubled its potential ICU bed number to 178, with capacity and procedures to add 24 more if needed, Wester said.

For example, the area that previously was home of the emergency express unit is now one of seven newly dedicated medical units solely for Covid-19 patients. In addition, they transitioned the former pediatric emergency department, made available by the opening of the new Our Lady of the Lake Children’s hospital, into a unique respiratory assessment center. All Covid-19 patients receive treatment in settings isolated from other patients by clinical teams specially equipped and trained in personal protection, reducing the potential for infection of staff.

The process is called patient cohorting, explained Dr. Catherine O’Neal, chief medical officer. Patients who test positive or are presumed to have Covid-19 are evaluated and cared for away from other patients from the moment they arrive at the hospital until their discharge. Fresh masks, gowns and gloves are at the ready near each patient room, and support staff are on hand to assist clinical teams in safe and efficient use of personal protective equipment.

"We’ve been able to conserve our supply of PPE by cohorting," Dr. O’Neal said.

Overseeing the swift stand-up of new ICU rooms is pulmonologist Dr. Chris Thomas. "Clinical teams on the new units include elite respiratory therapists, nurses, physicians and pharmacists," he said. "We’re proud of these teams."

The cohorted process has helped instill confidence in clinical teams, especially those in direct contact with infected patients. "We’re adapting rapidly to the increase in Covid-19 cases with the ability to flex our large hospital system in a safe manner," Dr. Thomas said.

Corrie Presley is a nurse manager for the new covid-19 units. "They function as a team with a common goal, it’s incredible to see," she said. "There are a lot of people who may be nervous to show up for work, but as soon as they get on that unit they’re comfortable and most of them request to come back."

O’Neal added, "We feel as prepared as a hospital can be in a time of pandemic."
When Will We Know More?

Key state officials like Gov. John Bel Edwards haven’t completely ruled out extending the current protective orders and rules through some or all of May, after they expire April 30.

That’s because the modeling being used by the administration are "premised upon" the current mitigation measures being in place "not just through the end of April, through the end of May," Edwards said during his Thursday press conference.

But the governor steered clear of offering a definitive timeline, favoring the minute-by-minute approach we’ve seen from President Page Cortez and Speaker Clay Schexnayder.

"I will have an announcement on that when I have an announcement on that, and today is just not the day," Edwards said in regard to extending protective measures, adding, "We’re not going to have an announcement until we have an announcement about that... We’ll see."

What the governor ultimately does in regard to his orders that expire April 30 will greatly influence how the regular session proceeds. And it’s not that lawmakers are eager to allow the governor to control the pace of policy — many, in fact, prefer staying in a regular session as long as possible so they’re not beholden to a special session call dictated by the administration. The real issues are public access and safety, which are at the heart of the governor’s mitigation orders.

"We’re in a holding pattern," said Cortez, "so there’s no way to accurately gauge what we’ll be doing in May."

That Special, Special Feeling

Most lawmakers are expecting at least one special session to follow the regular session to address essential needs of the state, and many others aren’t ruling out a second special session in the fall.

The summertime special session would likely be heavy on fiscal issues. There’s just too many moving pieces on the main budget bill, from the influx of federal
dollars to an anticipated loss of revenue. An appropriations bill could be passed this spring with deep cuts or contingencies or maybe even guidelines for just a few months of the next fiscal year that commences July 1.

As of the middle of this week Louisiana was nearing the $600 million mark for spending on the coronavirus crisis. The feds have been picking up 75 percent of the tab, but when spending surpasses $661 million, the cost share will increase to 90 percent.

As for a second special session in the fall, there have been some suggestions that it may be an economic development session. About a week ago most lawmakers being interviewed by LaPolitics said constituent calls largely involved queries about school closures, but since then unemployment questions have dominated district offices. So you can expect to see that on a committee agenda in some form in the coming months.

Tort reform may have to wait, as far as the ongoing regular session is concerned, but an economic development special session could allow a token bill of sorts to be advanced, temporarily satisfying the thirst that developed during the last election cycle. The messaging connected to the importance of tort reform, however, isn’t going anywhere.

Speaker Clay Schexnayder, according to a spokesperson, has assembled a small group of representatives to reach out to business and industry to seek ideas for "super-charging" the Louisiana economy. Whatever emerges from that exercise could end up on an agenda as well.

In terms of quiet texting, back-of-the-envelope emails and spaghetti-against-the-wall chitchat, lawmakers and lobbyists alike seem to be circling around the sales tax structure and statutory dedications. (For now.) Just the mention of both issues, to be sure, will stir up a violent reaction from some folks, but they’re part of the general conversation.

Historically, lawmakers have turned to sales tax changes during times of emergency and great need. While opponents would argue that it targets the poorest among us, the Legislature has traditionally viewed the sales tax structure as a path of least resistance when compared to other forms of higher tax rates.

Statutory dedications have been a thorn in the side of conservative lawmakers for a while, and Sen. Sharon Hewitt led a panel through a review of all 370 statutory dedications a couple years ago in hopes of shedding new light on the matter and configuring a new management style for the funds.
But much like the sales tax, rearranging state deductions will not be an easy ask in the Legislature this year. Which is probably why those issues remain part of the larger conversation right now, rather than agenda items.

**Challenges for Redistricting**

Speaking of special sessions, the only one that’s actually anticipated should be called some time next year, to tackle the decennial task of redistricting. That undertaking is roughly a year away, but some leaders are already sweating the most basic functions of the survey effort underway by the U.S. Census.

"Our numbers are down on responses," said House and Governmental Affairs Chairman Stephen Dwight.

Door-to-door appeals are on hold due to the pandemic and the deadline to complete the headcount, which is used to allocate federal dollars and draw election lines, has been pushed back from July to August. Lawmakers and governors in a few states are asking for another extension as Census officials contend they’re sticking to the mandated Dec. 31 deadline for handing over a finished product to Congress and the president.

Hopefully a learning curve on the legislative level won’t accompany the Census questions hampering the feds. Dwight said a redistricting training session for legislative leaders next month has been canceled and a September seminar in Portland for House and Senate committee members is uncertain at best.

If members want to follow the legislative model from the 2011 process, they’re just eight months away from scheduling statewide meetings and 12 months away from the House submitting a redistricting plan.

In late 2009 committee members also participated in a two-day training event, but the Legislature wasn’t facing the kind of turnover that marked this current term. So no such training exercise was held last year, but freshmen House members did receive a 10,000-foot view briefing from the staff.

Lawmakers, however, will adapt. There are more concerns about citizen participation. Dwight said he’s working with committee staff and members to find ways to encourage more people to answer Census questions.

The chairman joked that he may give away a prize to the lawmaker who has the biggest impact, at the cost of his friend Speaker Pro Tem Tanner Magee. "I don’t
know what the prize will be. Maybe Tanner’s parking spot," Dwight said laughing. "Tanner doesn’t know that yet."

Contacted for comment, the pro tem didn’t blink. "My spot has a plaque on the building," Magee said, taking his own turn of laughter. "It’s easier to give his away. No nails required."

**The 2011 Redistricting Cycle**

- **October 2, 2009**: Members of the House and Senate governmental affairs committees conclude two-day workshop on redistricting
- **December 3, 2010**: Statewide redistricting meetings scheduled
- **December 31, 2010**: U.S. Census sends official numbers to Congress and the president
- **February 2, 2011**: Statewide meetings announced
- **March 21, 2011**: Legislature convenes special session on redistricting
- **April 21, 2011**: House submits a redistricting plan
- **June 20, 2011**: U.S. Justice Department endorses House plan

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**Grief, Loss Heavy in HD54**

This past week late Rep. Reggie Bagala not only became the first and hopefully only Louisiana lawmaker to fall victim to the coronavirus, but in a way he also became the embodiment of the challenge at hand for the many legislators, staffers, lobbyists and reporters who knew him.

The social media updates regarding Bagala’s condition that were posted by former Sen. Marty Chabert offered the Capitol trade equal doses of hope and grief — while introducing the pandemic’s harsh realities to those yet unscathed.

Bagala was poised to take to Capitoland’s politics like a duck to water. He was a campaign liaison for the Reagan/Bush Presidential Committee and an aide to former Congressman Richard Baker before he was a parish administrator in Lafourche.
He campaigned on "limited government" and promised to "reduce burdensome government regulations," filing just one bill this session for a specialty "LSU National Champions" license plate. Voters in House District 54 overwhelming liked what they heard and Bagala emerged victorious from a three-person, all-GOP primary with 58 percent of the vote (Donny Lerille, 26 percent, and Ernest Boudreaux, 16 percent).

A member of HGA, Judiciary and Transportation, Bagala was also positioned to stand as an independent voice in the lower chamber. In late March, he pushed an *Advocate* editorial on social media that claimed "the last institution to grasp the crisis was the Legislature."

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**PAST IS PROLOGUE**

*Legislative Loss in WWII*

There’s a plaque on the podium in the well of the House. Unless you’re facing the podium, it’s easy to miss.

The plaque dedicates the podium to the memory of W.O. Noble, who represented Richland Parish in the House from 1940 to 1944. An inscription reads, "...who made the supreme sacrifice for his country."

But who was he? According to his 1949 obituary in *The Monroe Morning World*, Noble was the only state legislator to die in World War II. He was attached to the 314 Infantry Regiment of the 79th Division when killed in action on December 3, 1944, in the Battle of the Bulge.

His burial was officiated by Rev. J.P. McKeithen, whose cousin was Gov. John McKeithen. Noble’s own claim to fame, meanwhile, was left inside the rails.

In 1942, after campaigning on a promise to not increase taxes, then-Gov. Sam Jones (anti-Long) pushed for a 1.5 percent retail sales tax to help fund the charity hospitals. Noble (pro-Long) filed an alternative bill that would have funded the charity hospitals by cutting all state department expenditures by 30 percent.

It was a political ploy, with the hope of making Jones look like he had cut state government to the bone. In "Louisiana During World War II: Politics and Society, 1939-1945," author Jerry Purvis Sanson wrote that the ensuing debate caused "open warfare."
Sen. Dudley "Coozan" LeBlanc, the infamous Hadacol founder, attacked the governor from the mic when the bill reached the upper chamber and then hurled verbal bombs at Sen. Fred Heinz of St. Tammany before the two men took their disagreement to the rear of the Senate chamber and "both men began swinging."

Noble isn’t mentioned in any accounts I’ve read, but Sanson described how representatives sitting in the gallery jumped over the brass rails to join the fight. One senator grabbed a spittoon and started waving it at heads, and fistfights even broke out between spectators.

The Louisiana Mid-Continent Oil and Gas Association is the sponsor of "Past is Prologue." LMOGA was formed in 1919 and represents the all aspects of petroleum industry operating in Louisiana and the Gulf of Mexico. "Past is Prologue" is produced and written by the staff of LaPolitics Weekly, without any advertiser oversight or input over the content.

They Said It

"I don’t need the hands laid on me to reach a higher power." —New Orleans Mayor LaToya Cantrell, on the Central preacher still hosting large church gatherings, on CNN

"We fight a lot on different issues, but we also come together and hug. It’s been weird coming here and not being able to do that." —Rep. C. Denise Marcelle, on the Legislature

"If and when I need to go out in public... you will see me in a mask." —Gov. John Bel Edwards, on recommendations to begin wearing face masks

"I was quite stunned." —Freshman state Rep. Tammy Phelps of Caddo Parish, upon discovering how few elected women serve in Louisiana politics, on KTBS-TV

"(Jared Kushner) doesn’t know what the hell he’s talking about. He must have remembered something he saw off of a slide." —Retired Army Lt. Gen. Russel Honore, on MSNBC

"I not know any other way to say this — that's just stupid." —U.S. Sen. Bill Cassidy, on Democratic requests for airlines to lower emissions as part of the recent recovery bill, to reporters
"That's not Louisiana ditch water we're spending. That's taxpayer money. That's $4 billion dollars. We have to pay it back." —U.S. Sen. John Kennedy, on the recent recovery bill, on FOX News

"I'm not interested in any more of Speaker Pelosi’s spending porn, or any other member of Congress, for that matter." —Kennedy, on FOX

"The governor and I are standing shoulder to shoulder — and that’s how serious a problem we face here." —Attorney General Jeff Landry

"We tough. Bring it on." —LSU Coach Ed Orgeron, on this global pandemic, during a recent press conference

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