



## Mississippi House of Representatives Weekly Summary

### Week of March 12, 2012

Two big deadlines faced House members this week as they made their way through the Calendar. Thursday, March 15, was the deadline for Original Floor Action on general bills and Constitutional amendments. If a bill reported out of a committee was not addressed before this deadline, it died. Friday, March 16, was the deadline for the reconsideration and passage of general bills and Constitutional amendments. Monday, March 19, will be the deadline to table any remaining motions to reconsider.

Numerous measures were considered by the House this week. On Monday, House Bill 1222 (HB1222) was brought up to increase the fee charged by the Department of Safety to benefit the Mississippi Highway Patrol retirement system from \$2 to \$4. This bill will save the General Fund \$500,000. The bill passed 109-6.

House Bill 1248 (HB1248) establishes a bailman fee for the Alcohol Beverage Control (ABC) warehouse. This would include a handling fee of 25 cents on manufacturers or wholesalers of liquor placed in the ABC warehouse. This fee will be placed in the ABC Capital Expenditure Fund and will be used to maintain the warehouse. This bill benefits the General Fund as it removes the expense of maintaining the ABC warehouse. This measure will raise approximately \$700,000. The bill passed 105-12.

With the movie "The Help" having recently boosted Mississippi's local economies, especially Greenwood's, House Bill 1252 (HB1252) increases the amount of rebates authorized under the Mississippi Motion Picture Act. There would be no additional costs to the state unless a large motion picture is interested in filming in Mississippi. The bill passed 118-1.

House Bill 126 (HB126), referred to as "**Caylee's Law**," creates a felony offense for the failure and/or neglect of a person to report the disappearance of a child that results in the death of the child. An amendment was passed that inserts language to clarify certain instances in divorce situations. The bill passed 119-0.

Many significant bills were debated Tuesday in the House Chamber; emotions were high, and members were passionate in their argument. Several of the bills proposed were read aloud at the request of various members pursuant to a provision included in the 1890 Constitution.



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House Bill 815 (HB815), the **“Toll Road Bill,”** passed 113-5. HB815 allows there to be alternate, but not necessarily parallel, routes in addition to the toll road.

Two abortion related bills, House Bill 1390 (HB1390) and House Bill 1196 (HB1196), prompted prolonged discussions. HB1390 requires all physicians performing abortions in clinics to be certified OBGYNs and to have admitting privileges at a local hospital. Supporters of the bill argued that any person performing an abortion needs to be a certified OBGYN and have access to a local hospital should a problem arise. Currently, there is only one abortion clinic in Mississippi, and that clinic is located in Jackson. Opponents countered that HB1390 wrongly singles out the one clinic in Mississippi and in turn, forces it to shut down. Opponents worry there will be no options for women who cannot afford to go to other states to have abortions should the bill become law. The bill passed 80-37.

House Bill 1196 (HB1196) has been referred to as the **“Heartbeat Bill.”** HB1196 requires the determination of whether there is a fetal heartbeat prior to an abortion being performed and would prohibit a procedure unless and until this is done. Exceptions would apply in the case of the “life of the mother.” A heartbeat is detectable at five to six weeks utilizing a transvaginal ultrasound method. Current law gives women the voluntary option to hear the heartbeat. The bill passed 77-37.

House Bill 1281 (HB1281), referred to as the **“William Lee Montjoy Pool Safety Act,”** authorizes regulation of swimming pool enclosures. William Lee Montjoy drowned two years ago at a Gulf Coast yacht club. There is no current state law that mandates anything related to pool enclosures. HB1281 provides, specifies and mandates certain types and sizes of enclosures, distances between a gate opening and a post, and clearance underneath a gate. The bill’s provision would apply to private club pools in subdivisions, yacht clubs and country clubs. The bill passed 111-6. The parents of Montjoy observed the debate from the House gallery.

House Bill 1396 (HB1396), **Consumer Installment Loan Act,** provides a new vehicle for the lending process for the Mississippi Consumer Finance Association (MCFA). This bill would not compete with pay day loans. It would allow the MCFA to loan up to \$4,000 with no collateral. HB1396 permits clients to pay in monthly installments. This process would be regulated by the Mississippi Banking Commission. The annual percentage rate (APR) for loans between \$1 and \$1,500 is lower than that allowed by current law for pay day loans. The APR for loans in



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amounts greater than \$1,500 is comparable to current loan structures when including optional insurance products. The bill passed 68-51.

Wednesday, members gaveled in at 9 am and worked until 12:30 am Thursday morning. They addressed many complex and important bills during this time.

The revisions to the **Workers' Compensation law** in House Bill 555 (HB555) sparked debate among the members. HB555 proposes many changes to the existing law, including the requirement of medical proof of injury that occurs on the job and the exclusion of preexisting conditions being covered. Additionally, the bill would place an implied consent element into the workplace. The bill failed 52-62, and the House voted Friday morning not to reconsider Wednesday's vote.

The **Voter ID Law** passed the House Wednesday 78-40. In November, Mississippi voters went to the polls and passed a Constitutional amendment to require voter identification at elections. House Bill 921 (HB921) was adopted to fulfill the Constitutional mandate. Persons appearing to vote must present valid ID in any of the following forms: MS Driver's License; ID card issued by a branch department of Mississippi; US Passport; employee ID card with a photo; an accredited college, university, or community college student ID with a photo; MS license to carry a pistol; travel ID card with a photo; military ID; MS Voter ID card with photo. Should a person not have one of the required forms of ID, they may apply to receive a free Voter ID card (funded by the General Fund). To apply for the Voter ID card, a person will be required to show their Social Security card, Medicare card, Medicaid card or a verification of residence in the county. Voters may vote by affidavit if they present a valid ID within five days of voting. As Mississippi is a "covered jurisdiction" under the Federal Voting Rights Act, the Voter ID provisions will not become law unless approved by the U.S. Justice Department or the Federal Court.

House Bill 488 (HB488), "**The Mississippi Immigration Reform Law,**" was brought forward Wednesday evening at 9:44 pm and debated until 12:25 am Thursday morning, at which time the bill passed by a bipartisan vote of 70-47. HB488 aims to strengthen enforcement provisions to prevent illegal immigration and to encourage legalization of immigrants. Upon any lawful arrest for a violation of state law, a law enforcement agent may request immigrant documentation when a "reasonable suspicion exists" that the person may be in Mississippi unlawfully. Additionally, the bill targets employers such that if they knowingly hire an illegal alien, they will lose their business license. It does, however, protect non-profit organizations



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(churches, etc.) from serving illegal aliens' basic humanitarian needs (serving them a meal, providing clothes). An amendment was proposed and passed which deleted a section of the bill requiring schools to keep a count of students whose parents are illegal aliens. Although based on Alabama's existing illegal immigration enforcement law, HB488 does not include most provisions which are the subject of court challenge in our sister state.

Thursday, the pace on the House floor increased. Some of the bills that passed the House Thursday include:

--HB1032: This bill creates the Mississippi Dyslexia Education Scholarship Program.

--HB1031: This bill creates the Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program. This provides dyslexic students with a school choice should they need to change schools for additional therapy. Should a student need the additional attention, the money allotted to them in their current school would follow them to the next school.

--HB1382: This bill permits school boards and certain governing authorities to allow the use of Diabetic Alert Dogs in schools.

--HB707: This bill moves the start date of school to the fourth Monday in August, effective for the 2014-2015 School Year. The bill applies to all public schools under the State Board of Education. With this change, students will avoid attending school during the hottest time of year in Mississippi. Significant cost savings are expected, along with additional revenue of tourism dollars families are expected to spend during the extended Summer Break.

--HB696: This bill prohibits certain school administrators and district employees from influencing a change in student grades. It says they cannot instruct a teacher to falsify a grade unless the grade has been miscalculated. An amendment passed stating offenders will be subject to termination.

Altogether, the House successfully completed an extensive Calendar of bills which were taken up and voted on this week. At week's end, Speaker Gunn congratulated members and staff on the hard work performed by everyone.