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## **Veto session canceled**

**The Advocate | 08.03.07**

Advocate Capitol News Bureau

Published: Aug 3, 2007 - UPDATED: 9:30 a.m.

Legislators late Thursday rejected a bid to return to the State Capitol to consider Gov. Kathleen Blanco's vetoes.

Blanco lauded lawmakers' decision Friday morning.

"I considered the implications of each bill that crossed my desk, and my decisions to veto were only made after carefully weighing the impact of these measures on our entire state," the governor said in a statement.

In the Senate, 21 lawmakers returned ballots rejecting a veto session, said Brenda Hodge, the Senate's spokeswoman. The state constitution requires at least 20 senators to submit ballots in order to cancel the session, which would have been held next week.

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**21 senators, 48 House members vote against veto session**  
**The Associated Press | 08.03.07**

(AP) — A look at those who voted against having a veto session to try to override Gov. Kathleen Blanco's vetoes. A majority vote of the Senate killed the session. Senate officials said they would release their list of votes sometime Friday.

House members who turned in ballots opposing the veto session:

- |                                       |   |
|---------------------------------------|---|
| _Speaker Joe Salter, D-Florien.       | _Rep. Terrell Harris, D-Marrero.          |
| _Rep. John Alario, D-Westwego.        | _Rep. Alex Heaton, R-New Orleans.         |
| _Rep. Andy Anders, D-Vidalia.         | _Rep. Herman Ray Hill, D-Dry Creek.       |
| _Rep. Jeff Arnold, D-New Orleans.     | _Rep. Avon Honey, D-Baton Rouge.          |
| _Rep. Clara Baudoin, D-Carencro.      | _Rep. Willie Hunter, D-Monroe.            |
| _Rep. Ernest Baylor, D-Shreveport.    | _Rep. Michael Jackson, D-Baton Rouge.     |
| _Rep. Beverly Bruce, D-Mansfield.     | _Rep. Jalila Jefferson, D-New Orleans.    |
| _Rep. Roy Burrell, D-Shreveport.      | _Rep. Donald Ray Kennard, R-Baton Rouge.  |
| _Rep. Karen Carter, D-New Orleans.    | _Rep. Lelon Kenney, D-Columbia.           |
| _Rep. Robby Carter, D-Independence.   | _Rep. Eric LaFleur, D-Ville Platte.       |
| _Rep. Don Cazayoux, D-New Roads.      | _Rep. Juan LaFonta, D-New Orleans.        |
| _Rep. Billy Chandler, D-Dry Prong.    | _Rep. Charles McDonald, D-Bastrop.        |
| _Rep. Bo Curtis, D-Alexandria.        | _Rep. Tom McVea, R-Jackson.               |
| _Rep. N.J. Damico, D-Marrero.         | _Rep. Billy Montgomery, R-Haughton.       |
| _Rep. Charlie DeWitt, D-Lecompte.     | _Rep. Wilfred Pierre, D-Lafayette.        |
| _Rep. Jean Doerge, D-Minden.          | _Rep. Henry "Tank" Powell, R-Ponchatoula. |
| _Rep. Yvonne Dorsey, D-Baton Rouge.   | _Rep. Harold Ritchie, D-Bogalusa.         |
| _Rep. Hollis Downs, R-Ruston.         | _Rep. Errol "Romo" Romero, D-New Iberia.  |
| _Rep. Jim Fannin, D-Jonesboro.        | _Rep. Jack Smith, D-Stephensville.        |
| _Rep. Bobby Fauchaux, D-Gramercy.     | _Rep. John Smith, D-Leesville.            |
| _Rep. Rick Gallot, D-Ruston.          | _Rep. Francis Thompson, D-Delhi.          |
| _Rep. Cheryl Gray, D-New Orleans.     | _Rep. Taylor Townsend, D-Natchitoches.    |
| _Rep. Elcie Guillory, D-Lake Charles. | _Rep. Monica Walker, D-Marksville.        |
| _Rep. Elbert Guillory, D-Opelousas.   | _Rep. Patrick Williams, D-Shreveport.     |

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## **Outcome of vote to cancel legislative veto session expected Friday**

**The Associated Press | 08.03.07**

By MELINDA DESLATTE

BATON ROUGE, La. (AP) — Lawmakers will know Friday whether they will be returning to the state Capitol for a historic "veto session" to consider overriding Gov. Kathleen Blanco's most recent round of vetoes.

The deadline to vote to cancel the session was midnight on Thursday, and House and Senate leaders planned to release the vote tally Friday morning.

The decision went down to the final hours, with Blanco and her legislative leaders fighting to get the session scrapped. They were working against business and other interest groups who wanted lawmakers to overturn some of Blanco's vetoes from the regular legislative session.

A veto session is called automatically when a governor rejects bills. A majority written vote of either the House or Senate can jettison the session, however, and that's what the governor's office was hoping to do to the session scheduled to begin Aug. 7.

House Speaker Joe Salter said he didn't expect to know the outcome until Friday morning.

"It'll go down to the wire," said Salter, D-Florien, who voted against having the session.

The decision seemed to rest in the Senate, which by Thursday evening was two votes away from the 20 votes needed to end the veto session. Ballots could arrive by fax machine until the deadline, and lawmakers also could change their vote until then, said Senate spokeswoman Brenda Hodge.

Business groups made a last-minute push on the radio, running ads that urged citizens to call their senators and ask them to let the veto session continue as planned.

"The Senate is about to veto the veto session. Don't let it happen! We need your help immediately!" the ad said.

Several lawmakers and organizations wanted the session to go on to try to overturn Blanco's vetoes of a business utility tax cut, a tax break for parents who pay private and parochial school tuition and other rejected bills.

Salter and Senate President Don Hines, D-Bunkie, asked lawmakers to kill the session.

Since the enactment of the current state constitution in the 1970s, lawmakers have repeatedly voted against having veto sessions.

Blanco vetoed 14 bills and 10 items in the state's annual operating budget. If called into session, overriding a gubernatorial veto takes a two-thirds vote of both the House and Senate — and it's unclear if supporters of the session would have enough votes for any overrides.

Supporters of a veto session say the state has enough money to afford to give more tax breaks to businesses and residents.

Opponents say a new governor and lawmakers can take up those proposals again next year — noting that the two tax break bills attracting the most interest in a veto session wouldn't take effect until July 1, 2008. Blanco isn't running for re-election, and dozens of legislators are term-limited and can't return to their current elected positions.

<http://www.nola.com/newsflash/louisiana/index.ssf?/base/news-33/1186112988212540.xml&storylist=louisiana>

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**La. male cancer incidence surveyed****Times - Picayune | 08.02.07**

Black, white men pinpointed in study

By Kate Moran

A survey released Wednesday by the Louisiana Tumor Registry shows that cancer rates among white and black men are higher than national norms in every parish across the state, with prostate, lung and colon and rectum cancers the most prevalent among males of both races.

At the same time, the registry, which is part of the Louisiana State University Health Sciences Center, reported that cancer rates among black women are comparable to national averages, and rates among white women are generally lower.

The registry published the statewide cancer data for the years covering 2000 to 2004 and, for the first time, mapped the incidence of different types of cancer by parish. Those maps revealed hotspots for certain populations -- breast cancer rates among black women in St. Bernard Parish were among the highest in the state, for instance -- but they did not indicate that residents of any one region were especially prone to cancer.

"One thing that strikes us is the variability and heterogeneous distribution of who is affected," said Dr. Edward Peters, an assistant professor of epidemiology at LSU and the chief author of the study. "There is no real pattern. Different cancers are elevated for different races and genders in different parts of the state."

This was true even in the area the survey calls the Industrial Corridor, which encompasses St. Charles, St. James, St. John the Baptist, East Baton Rouge, West Baton Rouge, Ascension and Iberville parishes. Cancer rates among white and black men in those areas are higher than national averages, but for white men they are lower there than in the rest of the state.

Peters said an observer cannot look at the maps and discern which area is the so-called Industrial Corridor, because cancer is not consistently prevalent among patients of different races and genders in those parishes. That indicates, he said, that the environment is not the primary cause of cancer there.

"Environment may have been a factor, but if it was something that was more regionally based, you would not expect to see such drastic differences in cancer rates by race and gender for people living in the same area," Peters said.

The tumor registry indicates that the incidence of cancers caused by tobacco use, such as lung, oral cavity, kidney and pancreas cancers, in Louisiana surpasses national averages.

The Louisiana Smoke Free Air Act took effect in January. It bans smoking in restaurants and a majority of workplaces, with the exception of freestanding bars, casinos and some hotel rooms. Peters said that such public health initiatives should help reduce cancer rates over time, though the benefits will probably not show up in cancer registry right away.

Dr. Charlie Brown, steering committee chairman of the Louisiana Campaign for Tobacco-Free Living, concurred.

"The Legislature has dedicated funds to a comprehensive, statewide tobacco prevention and control effort, which we believe is beginning to have an impact on smoking rates," Brown said by e-mail. "One has to remember that these diseases are chronic illnesses related to chronic tobacco use. With lower rates of tobacco use over time, we should see those rates decline."

A copy of the study is available online at  
<http://publichealth.lsuhscc.edu/tumorregistry/PDF/LTRVol22.pdf>.  
<http://www.nola.com/timespic/stories/index.ssf?base/library-129/1186039245288290.xml&coll=1>

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## **New La. cancer map has surprises**

**The Advocate | 08.03.07**

By AMY WOLD

The Louisiana Tumor Registry, for the first time since 1974, has compiled cancer incidence and cancer mortality rate information into easily read parish maps showing where the disease is concentrated.

For example, the maps help illustrate that cancer rates along the industrial corridor of the Mississippi River were not what some researchers expected, said Dr. Edward Peters, assistant professor of epidemiology at the LSU Health Sciences Center New Orleans' School of Public Health, which houses the tumor registry.

"The maps provide another way to look at the numbers," said Peters, one of the report's authors. "It's one of our first steps in looking at cancer in Louisiana from a geography perspective."

The "Cancer in Louisiana Volume 22: Cancer in Louisiana 2000-2004" is at <http://publichealth.lsuhscc.edu/tumorregistry/PDF/LTRVol22.pdf>.

The report, released Wednesday, shows the rates of cancer for East Baton Rouge, West Baton Rouge, Ascension, Iberville, St. James, St. John the Baptist and St. Charles parishes, mirror what is found in the rest of the state. The area is known as "Cancer Alley."

In this industrial corridor and the state, white men and black men have a "significantly higher incidence rates for all cancer sites combined than their counterparts nationwide," the report says. In this same area, the cancer incidence rate for black women was about the same as the national average while the rate for white women was significantly lower than the national average, the report says.

Although the maps do not show clusters of high cancer rates along the industrial corridor, they do show high cancer rates for certain kinds of cancers in other parts of the state where they were not expected, Peters said.

"What's striking is it's so much more variable than people expected," Peters said. "Looking at the map, I would not be able to point to the industrial corridor."

Statewide, the most frequently diagnosed cancers were lung, prostate, breast, colon and rectum and urinary bladder, the report says.

Peters said the maps and cancer incidence rates and cancer mortality rates will help pinpoint problems in the state and provide a basis for studies.

For example, he said, if the maps show higher rates of cancer incidence or higher rates of mortality from cancer in certain parishes, that gives a starting point to look for an answer as to why. "Is it due to chance or is it related to geographic details like access to health care," Peters said. "The map shows you something is there and you can dig down and ask why."

<http://www.theadvocate.com/news/8886762.html>

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## Fluoride is restored to N.O. tap water

**Times – Picayune | 08.03.07**

By Michelle Krupa

After a nearly two-year lapse, the Sewerage & Water Board has resumed adding fluoride to New Orleans' drinking water, but the agency has only enough of the cavity-fighting compound to last a few weeks.

Water board officials, who failed to notify the public until The Times-Picayune inquired about it last month, said Thursday that they managed to buy a 10- to 14-day supply recently through a third-party distributor, overcoming a nationwide shortage that had halted deliveries since Hurricane Katrina.

Purification plants Uptown and in Algiers restored the additive to their treatment processes Wednesday.

But keeping up the fluoride treatments is far from a sure thing.

Because of the strained market, the water board has failed to attract any bidders to a new supply contract, and officials' attempts to negotiate a deal with individual suppliers have flopped.

Indeed, this week's purchase may have owed to luck, said Mike Musso, whose Zachary-based firm, Thornton, Musso & Bellemin, secured the slim supply.

"I don't know how long it will last," he said. "The fluoride market is real tight."

Marvin Russell, the S&WB's water purification superintendent, said he is hopeful the agency will be able to obtain single shipments at least once every two weeks until year's end, when the expiration of annual contracts may allow the water board to get back into the supply loop.

"We don't have a contract. We don't have a guarantee, but we believe that on the spot market, with proper notice, we can get what we need until we can achieve a long-term contract," Russell said.

Until then, the water board vowed to notify the public whenever fluoride vanishes from the water supply, according to a prepared statement issued Thursday.

### Creating controversy

The S&WB, which started adding fluoride to tap water in 1974, had kept the absence of fluoride in the water quiet until last month. At that time, executive director Marcia St. Martin said the agency chose not to notify the public because officials believed they would find a supplier.

She also said that because American Dental Association guidelines are not based on the fluoride content of tap water, residents who follow those rules would not be affected.

Some state and local dental professionals criticized the lack of publicity, saying at least physicians and dentists should have been notified so they could have prescribed fluoride supplements, particularly to children.

Days after the deficiency was exposed, city health director Dr. Kevin Stephens penned a letter to local health-care providers, including details of fluoride supplement options. Stephens also listed links to Web sites of fluoride suppliers and asked health professionals to help the water board find a contractor.

### Price jumps

Though officials on Thursday applauded the securing of the limited fluoride supply, they also bemoaned the product's price tag, which they said has nearly quadrupled since the summer of 2005.

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This week's shipment of 3,908 gallons of liquid fluoride cost \$9,673, S&WB spokesman Robert Jackson said. The same volume, he said, cost \$2,693 before Katrina.

Prior to the storm, the water board bought fluoride from Lucier Chemical Industries of Jacksonville Beach, Fla. The company provided the product from 1999 to 2005 at a total cost of \$519,824.

But deliveries stopped after Katrina. By the time the water board was ready to restart them in mid-2006, the nation's fluoride supply had dwindled, as the main U.S. producer sustained equipment breakdowns and a drop in output due to poor-quality raw material.

The shortfall sparked a consumer frenzy, with water utilities across the country rushing to stockpile fluorides, leaving laggards -- including cities such as New Orleans that were out of the loop -- without any supply at all.

S&WB officials in July solicited the assistance of the state Department of Health and Hospitals and local professional associations to seek out fluoride suppliers willing to ink a deal with the water board. Jackson said Thursday, however, that those connections did not help land the current shipment.

"It was actually the efforts of staff trying to track down a supplier," he said.

Russell said he tapped Musso's firm because it has nearly two decades of experience in Louisiana providing water-purification chemicals. Musso, however, said he could not recall the name of the fluoride supplier selling to Thornton, Musso & Bellemin.

Jackson and Russell, meanwhile, were skittish about naming the firm they believe provided the current supply to Musso except to say they know the fluoride is "certified material."

"It's still an extremely dicey market. We don't want him to disappear because he's uneasy with having his name in the paper," Jackson said.

#### Problem compounded

Besides buying a more expensive product, the water board now also must buy more fluoride to treat the additional water it has to pump out, despite a reduced population, to compensate for tens of millions of gallons of treated tap water that spills out of leaky pipes every day, Russell said.

Before the storm, the S&WB added about 417 pounds of fluoride daily to 120 million gallons of water, he said. To maintain a similar chemical composition, the recent purchase included 592 pounds of fluoride to produce more than 130 million gallons a day, Russell said.

Russell said the water board cannot extend its supply -- and save money -- by feeding a smaller volume of fluoride into its water supply every day.

"We can't just cut back" and still meet the recommended therapeutic dose of 0.7 parts per million, he said. Fluoride occurs naturally in the Mississippi River at concentrations of 0.2 to 0.5 parts per million.

<http://www.nola.com/news/t-p/frontpage/index.ssf?/base/news-8/1186124041211910.xml&coll=1>

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## **Tough Negotiations Ahead on Children's Health Care Expansion, Medicare Congressional Quarterly | 08.02.07**

By Alex Wayne, CQ Staff

The Senate passed a \$35 billion expansion of a children's health insurance program Thursday, setting up a difficult negotiation with the House and a probable veto by President Bush.

The House passed a broad bill Aug. 1 that included a larger expansion of the State Children's Health Insurance Program (SCHIP), plus changes to Medicare — notably a cut in spending for managed care plans that participate in the entitlement, plus a reversal of a scheduled cut to physicians' Medicare reimbursements.

The narrower Senate bill passed, 68-31, after a day of defeating mostly Republican attempts to alter the bill.

Both bills would reauthorize SCHIP, which covers about 6 million children whose families are low-income but not poor enough to qualify for Medicaid. The two chambers must now hash out their differences, which are extensive.

Lawmakers from both the House and Senate acknowledge that the House's Medicare provisions, intended to piggyback their way into law on the popularity of children's health insurance, will complicate negotiations.

"I'd be less than direct if I didn't say that we got a lot of help from children," said Pete Stark, D-Calif., the chairman of the House Ways and Means Health Subcommittee and principal author of the Medicare provisions.

Further, the conferees will negotiate in the shadow of a threatened veto: Bush says he would not sign either bill into law.

Some lawmakers are skeptical that Republicans would sustain a veto. In 2004, at the Republican National Convention, Bush vowed to "lead an aggressive effort to enroll millions of poor children who are eligible but not signed up for the government's health insurance programs."

"He's always supported SCHIP," Rep. Diana DeGette, D-Colo., said of Bush. "For congressional Republicans to be forced to think about sustaining a veto of legislation they've always supported in the past would put them in a very untenable position going into the elections, I think."

The senior Republican on the Senate Finance Committee, Charles E. Grassley of Iowa, said he planned to ask for a meeting with Bush to try to convince him not to veto the bill. "I'm going to convince him we've done the best we can," Grassley said.

Bush has proposed a \$5 billion expansion of SCHIP over five years.

Grassley, in a July 31 speech, criticized Bush for not living up to the promise he made at the 2004 convention. But he also issued a warning to House Democrats.

"I'm not going to be able to support a bill that changes significantly from what we have here [in the Senate] with this proposal," he said.

Sen. Trent Lott, R-Miss., acknowledged a veto override was possible, but only if negotiators accept the lower spending total in the Senate bill. "If it goes one iota above what's in [the Senate] bill, we will be able to sustain the veto," Lott said.

Lott also said Senate Republicans would block a formal conference from convening until there was an agreement on spending. "Grassley is going to hold the line pretty strong on this," Lott said.

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### Coverage Concerns

House Democratic leaders complain that the Senate bill would not allow coverage of as many children as the House bill.

The Senate bill would add 6.1 million children to SCHIP and Medicaid, the Congressional Budget Office (CBO) estimates. The House bill would add 7.5 million.

“We have to cover all of the kids who are eligible for SCHIP in this country and not enrolled, and we have to pay for it,” DeGette said. “Any creative suggestions would be welcomed.”

Paying for the expansion will prove difficult. Ten Democrats voted against the House bill, in many cases because of its tobacco tax increase of 45 cents per pack of cigarettes, to 84 cents.

The Senate bill includes a 61-cent increase, which would likely drive many more House Democrats to vote against the bill.

Instead of a larger tobacco tax, House Democrats included in their bill a cut in spending for Medicare Advantage, a program in which private managed-care plans provide benefits to seniors in place of the government. The plans are paid about 12 percent more per beneficiary than traditional Medicare costs, according to CBO and the Medicare Payment Advisory Commission, which has recommended reducing the imbalance. The cuts in the House bill would raise \$157 billion over 10 years — enough, with the tobacco tax increase, to pay for both the SCHIP expansion and the reversal of the scheduled cut in Medicare reimbursements for doctors.

But Medicare Advantage is championed by Republicans, and the insurance industry is lobbying to preserve it. Several Republicans who voted for the Senate SCHIP bill, notably Gordon H. Smith of Oregon, say they will not vote for a compromise bill that includes Medicare Advantage cuts.

Negotiators also must decide whether to keep the Medicare provisions and SCHIP expansion linked. The American Medical Association is lobbying for the physician payment change. Nearly everyone in Congress seems to agree that the cut must be averted.

“The idea of linking these does make sense, and I haven’t heard that the Senate would be unwilling to link them,” said Frank Pallone Jr., D-N.J., the chairman of the Energy and Commerce subcommittee on Health.

But that drags Medicare Advantage into the debate, because reversing the physicians’ payment cuts is expensive, costing \$101 billion over 10 years, according to CBO. Lawmakers have had trouble identifying other programs to cut that would yield that kind of money, and further tax increases are probably not an option.

<http://www.cq.com/display.do?fl=3&dockey=/cqonline/prod/data/docs/html/news/110/news110-000002565854.html@allnews&metapub=CQ-NEWS&productId=5>

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