

1 WHEREAS, various authorities have suggested the need for Louisiana to address a
2 number of policy areas that would require constitutional change, including such matters as
3 the state's tax structure and budgetary practices, dedication of state revenues and the
4 resulting inability of the legislature to allocate tax resources where needed, as well as fiscal
5 restraints on local governments that dramatically limit their authority to meet fiscal and
6 budgetary demands; and

7 WHEREAS, as was the case in 1973, Louisiana once again faces the need for a
8 serious analysis of its basic law, and it must determine whether a constitutional convention
9 would be the most effective approach to: conducting a genuine examination of the state's
10 critical needs, undertaking an in-depth discussion of reform concepts, crafting provisions
11 that allow for flexibility and innovation in legislative solutions to problems of the present
12 and the future, and challenging Louisiana's voters to accept constructive change; and

13 WHEREAS, prior to calling a constitutional convention, it would be wise to
14 undertake appropriate study and analysis to enable effective decisions concerning details of
15 convention composition, organization, procedure, staffing, and other resources.

16 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
17 create and establish the Constitutional Convention Study Commission to undertake all study
18 and analysis necessary for a complete examination of calling a constitutional convention to
19 revise the Constitution of Louisiana and to make recommendations to the legislature for the
20 effective conduct of such a convention.

21 BE IT FURTHER RESOLVED that the commission shall be composed of the
22 following members:

23 (1) Three members of the House of Representatives and one former member of the
24 House of Representatives appointed by the speaker of the House of Representatives.

25 (2) Three members of the Senate and one former member of the Senate appointed
26 by the president of the Senate.

27 (3) Four members appointed by the governor.

28 (4) Four members appointed by the chief justice of the Louisiana Supreme Court.

29 (5) A representative of the Public Affairs Research Council of Louisiana appointed
30 by the council.

1 (6) A representative of the Council for a Better Louisiana appointed by the council.

2 BE IT FURTHER RESOLVED that in making appointments to the commission, the
3 appointing authorities shall seek to provide diversity in the commission's membership,
4 including diversity of geography, race, and gender.

5 BE IT FURTHER RESOLVED that a vacancy in commission membership shall be
6 filled in the manner of the original appointment.

7 BE IT FURTHER RESOLVED that the commission shall hold its organizational
8 meeting within sixty days after adjournment sine die of the 2019 Regular Session of the
9 Legislature on the call of the speaker of the House of Representatives and the president of
10 the Senate acting jointly and that at such organizational meeting the commission shall elect
11 a chairman, a vice chairman, and such other officers as it finds necessary and shall adopt
12 rules for its own procedure which shall be subject to later amendment by the commission.

13 BE IT FURTHER RESOLVED that the commission shall make such studies as it
14 finds necessary to make recommendations to the legislature on all matters relevant to the
15 convening and conduct of a constitutional convention, including a plan for the conduct of
16 an effective constitutional convention, which plan shall include but not be limited to:

17 (1) A policy agenda for the convention which shall include:

18 (a) Identification of significant policy areas that must be addressed in order to
19 propose a constitution that will serve the state effectively.

20 (b) Alternative proposals for provisions on significant policy areas, together with
21 explanations and explanatory materials therefor, including multiple optional approaches and
22 solutions as appropriate to facilitate the work of the convention in addressing issues.

23 (c) Pertinent background material and data relative to significant policy areas.

24 (2) Background and other materials that the committee determines will be useful to
25 the work of the convention.

26 (3) Proposals for elimination of statutory materials from the constitution, together
27 with recommendations for legislative action relative thereto.

28 (4) Recommendations for convention organization and deliberations, including the
29 composition of the membership of the convention, officers and committees, and significant
30 provisions for rules of procedure.

1 (5) Timetables for convening, for staff work, for completion of a draft constitution,
2 for the election to submit the proposal to the voters of the state, and for effectiveness of the
3 new constitution.

4 (6) An analysis of staffing and other resources needed and available to address
5 policy issues and to skillfully draft constitutional language.

6 (7) Recommendations for budget needs for effective conduct of a convention.

7 (8) Recommendations for procedures for submission of alternative proposals to the
8 voters and ballot structure.

9 BE IT FURTHER RESOLVED that the commission shall complete its study and
10 determine its recommendations to the legislature no later than December 15, 2019, and shall
11 submit to each member of the legislature and to the governor, no later than January 10, 2020,
12 the complete results of its study and a report of its findings and its recommendations based
13 thereon.

14 BE IT FURTHER RESOLVED that the commission shall make every effort to
15 maximize public input and participation, including conducting meetings at times and places
16 convenient to the public.

17 BE IT FURTHER RESOLVED that the commission, for the purposes of conducting
18 the study as provided in this Resolution, may utilize the personnel, facilities, and services
19 of the legislative auditor, the legislative fiscal officer, and the staffs of the House of
20 Representatives and the Senate, and that the commission may request and utilize such
21 counsel, assistance, personnel, facilities, and advice as may be obtained from any and all
22 public sources.

23 BE IT FURTHER RESOLVED that the commission may create or appoint advisory
24 commissions or task forces to act in an advisory capacity or to assist in its studies, composed
25 of such representatives of the public or private sectors as it deems appropriate.

26 BE IT FURTHER RESOLVED that all expenses directly incurred by the commission
27 may be paid from any funds available for the purpose and, with the approval of the presiding
28 officers of the two houses of the Legislature of Louisiana, from funds available to such
29 presiding officers for expenses of the legislature.

1 BE IT FURTHER RESOLVED that the commission shall be deemed dissolved on
2 January 13, 2020.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HCR 56 Engrossed

2019 Regular Session

Foil

Abstract: Establishes the Constitutional Convention Study Commission.

Proposed concurrent resolution creates the Constitutional Convention Study Commission to make necessary studies and analysis to examine and make recommendations relative to the calling of an effective constitutional convention to revise the Constitution of La.

- (1) Provides that the commission be composed of the following members:
- (a) Three members of the House and one former member of the House appointed by the speaker of the House of Representatives.
 - (b) Three members of the Senate and one former member of the Senate appointed by the president of the Senate.
 - (c) Four members appointed by the governor.
 - (d) Four members appointed by the chief justice of the La. Supreme Court.
 - (e) A representative of the Public Affairs Research Council of La. appointed by the council.
 - (f) A representative of the Council for a Better La. appointed by the council.

Requires that, in making appointments, the appointing authorities shall seek to provide diversity in the commission's membership, including diversity of geography, race, and gender.

Provides for filling of a vacancy in the manner of the original appointment.

- (2) Requires that the commission hold its organizational meeting within 60 days after adjournment sine die of the 2019 R.S. on the call of the House speaker and the Senate president acting jointly.

Requires the commission, at the organizational meeting, to elect a chairman, a vice chairman, and other officers it finds necessary and to adopt rules for its own procedure.

- (3) Requires the commission to make such studies as it finds necessary or appropriate to make recommendations to the legislature on all matters relevant to the convening and conduct of a constitutional convention including a plan for the conduct of an effective constitutional convention which plan shall include but not be limited to:
- (a) A policy agenda for the convention which shall include:
 - (i) Identification of significant policy areas that must be addressed in order to propose a constitution that will serve the state effectively.
 - (ii) Alternative proposals for provisions on significant policy areas, together with explanations and explanatory materials therefor, including multiple optional approaches and solutions as appropriate to facilitate the work of the convention in addressing issues.

- (iii) Pertinent background material and data relative to significant policy areas.
 - (b) Background and other materials that the committee determines will be useful to the work of the convention.
 - (c) Proposals for elimination of statutory materials from the constitution, together with recommendations for legislative action relative thereto.
 - (d) Recommendations for convention organization and deliberations, including the composition of the membership of the convention, officers and committees, and significant provisions for rules of procedure.
 - (e) Timetables for convening, for staff work, for completion of a draft constitution, for the election to submit the proposal to the voters of the state, and for effectiveness of the new constitution.
 - (f) An analysis of staffing and other resources needed and available to address policy issues and to skillfully draft constitutional language.
 - (g) Recommendations for budget needs for effective conduct of a convention.
 - (h) Recommendations for procedures for submission of alternative proposals to the voters and ballot structure.
- (4) Requires the commission to complete its study and determine its recommendations by Dec. 15, 2019, and, by Jan.10, 2020, to submit study results and a report of its findings and recommendations to each legislator and the governor.
 - (5) Authorizes the commission to utilize the personnel, facilities, and services of the legislative auditor, the legislative fiscal officer, and the staffs of the House of Representatives and the Senate and to request and use such counsel, assistance, personnel, facilities, and advice as may be obtained from any and all public sources.
 - (6) Authorizes the commission to create or appoint advisory commissions or task forces for advice or assistance, composed of representatives of the public or private sectors.
 - (7) Provides that expenses directly incurred by the commission may be paid from any funds available for the purpose and, with the approval of the legislative presiding officers, from funds available to such presiding officers for expenses of the legislature.
 - (8) Provides that the commission shall be dissolved on Jan. 13, 2020.