HLS 12RS-2986 ORIGINAL

Regular Session, 2012

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HOUSE CONCURRENT RESOLUTION NO. 145

BY REPRESENTATIVE NANCY LANDRY

PUBLIC MEETINGS: Requests the legislative governmental affairs committees to study issues relative to meetings of public bodies

A CONCURRENT RESOLUTION

2	To urge and request the House Committee on House and Governmental Affairs and the
3	Senate Committee on Senate and Governmental Affairs to meet and function as a
4	joint committee to study issues relative to meetings of public bodies, particularly
5	requirements regarding public comment at meetings, vote requirements for a public
6	body to go into executive session or take up a matter not on the agenda, and the
7	creation of committees and subcommittees by public bodies.
8	WHEREAS, the Open Meetings Law provides that it is essential to the maintenance
9	of a democratic society that public business be performed in an open and public manner and
10	that the citizens be advised of and aware of the performance of public officials and the
11	deliberations and decisions that go into the making of public policy; and
12	WHEREAS, the law requires a public body other than a legislative body or a school
13	board to allow for a public comment period during a meeting prior to action on an agenda
14	item; and
15	WHEREAS, the law provides, however, that the public comment period can be at
16	any point prior to action on the item; and
17	WHEREAS, this means that a member of the public could be required to make his
18	or her public comments at the beginning of a meeting, long before the agenda item is
19	actually taken up by the public body; and
20	WHEREAS, the law provides a different requirement for school boards other than
21	the Orleans Parish School Board; and

1 WHEREAS, such school boards are required to allow a public comment period 2 preceding each agenda item; and 3 WHEREAS, the law requires a two-thirds vote of a public body for the body to go 4 into executive session and a unanimous vote for the body to take up a matter not on its 5 posted agenda; and 6 WHEREAS, the vote on both issues is of the "members present", which does not 7 appear to allow a member to abstain; and 8 WHEREAS, the Open Meetings Law does not contain an express prohibition against 9 elected public bodies creating committees and subcommittees made up of nonelected 10 members or against granting such members voting rights. 11 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 12 urge and request the House Committee on House and Governmental Affairs and the Senate 13 Committee on Senate and Governmental Affairs to meet and function as a joint committee 14 to study issues relative to meetings of public bodies, particularly requirements regarding 15 public comment at meetings, vote requirements for a public body to go into executive 16 session or take up a matter not on the agenda, and the creation of committees and 17 subcommittees by public bodies.

DIGEST

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Nancy Landry HCR No. 145

Requests the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and function as a joint committee to study issues relative to meetings of public bodies, particularly requirements regarding public comment at meetings, vote requirements for a public body to go into executive session or take up a matter not on the agenda, and the creation of committees and subcommittees by public bodies.