

July 9, 1999

Honorable Alfred W. Speer
Clerk of the House of Representatives
State Capitol
Baton Rouge, LA 70804

RE: HOUSE BILL NO. 1596 BY REPRESENTATIVE WINDHORST

LEGISLATIVE PROCEDURE: Provides for the procedure and the form of the petition of the legislature to call for an extraordinary session.

Dear Mr. Speer:

The object of House Bill No. 1596 is to provide for the procedure and form of the petition of the legislature to call itself into an extraordinary session. As such, the bill makes a number of changes aimed at clarification and simplification which generally are acceptable.

However, the last sentence of the bill appears to me, and the lawyers and legal scholars with whom we have consulted, to go too far in that it would provide that such an extraordinary session could be called during a regular session. This would mean that by the mere passage of a concurrent resolution by a majority vote early in the "fiscal" regular session in 2000, notwithstanding a constitutional prohibition, the legislature could consider and adopt general matters during the time-frame of the regular session.

In 1993 the legislature asked the people to change the Constitution of Louisiana by limiting the subject matter of regular sessions to allow tax related matters in even numbered years only and general law matters in odd numbered years only; and the people approved that change. As a senator I strongly supported that change and I still strongly support it. From my visits around the state with many citizens, I know that they prefer the current system, and I believe they would view House Bill No. 1596 as a circumvention of the 1993 vote of the people. Indeed, the same issue along with other changes will be presented for approval or rejection by the voters this fall in the form of a constitutional amendment proposed in Senate Bill No. 245 of this past regular session. In my view, if there is to be such a profound change in the scope of regular sessions of the legislature, the only appropriate way to do it is for the people to vote to change the constitution.

For these reasons, I have vetoed House Bill No. 1596 and I am returning it to you.

Sincerely,

M. J. "Mike" Foster, Jr.