
DIGEST

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HCR 3 Reengrossed

2018 Regular Session

Foil

Proposed concurrent resolution creates the Constitutional Convention Study Commission to make necessary studies and analysis to examine the feasibility and advisability of calling a constitutional convention to revise the Constitution of La.

- (1) Provides that the commission be composed of 13 members as follows:
 - (a) One member of the La. House of Representatives appointed by the speaker of the House of Representatives.
 - (b) One member of the La. Senate appointed by the president of the Senate.
 - (c) Two members appointed by the governor.
 - (d) Two members appointed by the chief justice of the La. Supreme Court.
 - (e) A representative of the LSU Paul M. Hebert Law Center appointed by the chancellor of the law center.
 - (f) A representative of the Southern University Law Center appointed by the chancellor of the law center.
 - (g) A representative of the Public Affairs Research Council of La. appointed by the council.
 - (h) A representative of the Board of Regents appointed by the board.
 - (i) A representative of the BESE appointed by the board.
 - (j) A representative of the CABL appointed by the council.
 - (k) A representative of the La. Sheriffs' Association appointed by the association's executive board.
 - (l) A representative of the La. Municipal Association appointed by the association's executive board.

- (m) A representative of the La. Tax Institute appointed by the board of the institute.
- (n) A representative of the Police Jury Association of La. appointed by the association.

Provides that if the appointing authorities provided for in (e) and (f) above do not make an appointment as provided, the House speaker and the Senate president shall make any appointment necessary to provide for such required membership, giving consideration to any recommendations of the appointing authorities.

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 2018 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 determine the feasibility and advisability of calling a constitutional convention to revise the state constitution and, if a convention is found to be feasible and advisable, 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 Jan. 15, 2019, and by Feb. 14, 2019, 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 or private sources.
 - (6) Authorizes the commission to make, or cause to be made, studies useful to its purposes through legislative personnel or in cooperation with any public or private agency and to call upon departments or agencies of the state for data and assistance. Requires departments and agencies to cooperate with the commission.
 - (7) Authorizes the commission to receive grants, donations, or gifts of money or services from public or private organizations or from any other sources and to create or appoint advisory commissions or task forces for advice or assistance, composed of representatives of the public or private sectors.
 - (8) 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.
 - (9) Provides that the commission shall be dissolved upon the adjournment sine die of the 2019 R.S.

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed concurrent resolution:

1. Remove specific provision which authorized the presiding officers of the legislature to assign one or more employees full-time to the commission; which required the legislative fiscal officer to assign one employee full-time to the commission; which required the La. State Law Institute to assign one employee half-time to the commission; which required the chief justice of the La. Supreme Court to assign one employee half-time to the commission; and which required each appointing university to each assign one employee half-time to the commission.
2. Remove one appointment from the House; one appointment from the Senate; the representative from the LSU E.J. Ourso College of Business; and the representative of the SU College of Business.
3. Add an appointment from each of the following: the Board of Regents, BESE, CABL, La. Sheriffs' Association, LMA, La. Tax Institute, and the Police Jury Association of La.