2022 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 48

BY REPRESENTATIVE IVEY

LEGISLATIVE POWERS: Provides for House and Senate standing committees to meet and function as joint committees to study the provisions of the state constitution and to make recommendations for revisions

1	A CONCURRENT RESOLUTION
2	To urge and request each standing committee of each house of the legislature to meet and
3	function as a joint committee with the standing committee of the other house which
4	has a substantially similar subject matter jurisdiction to study the provisions of the
5	Constitution of Louisiana within the jurisdiction of the joint committee and to make
6	recommendations regarding revisions to those provisions to the legislature no later
7	than March 15, 2023.
8	WHEREAS, it has been more than forty-seven years since the Constitution of
9	Louisiana became effective at midnight on December 31, 1974, and during these years the
10	document which constitutes the state's fundamental law has been amended some two
11	hundred three times; and
12	WHEREAS, the need to address a number of key policy areas that require
13	constitutional change has become apparent, including such matters as the state's tax structure
14	and budgetary practices that hamper the state's economic growth and competitiveness as well
15	as the quality of life of Louisiana residents; the prioritization of expenditures through the
16	dedication of state revenues and the resulting inability of the legislature to allocate resources
17	to other priorities, particularly for the needs of health care and higher education; the fiscal
18	restraints on local governments that dramatically limit their authority to meet fiscal and
19	budgetary demands; and other matters; and

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WHEREAS, the constitution contains many provisions that prohibit or restrict the 2 legislature in effectively addressing state and constituent needs, and also includes extensive 3 provisions that are so detailed as to be statutory rather than constitutional in nature and, as 4 a result, require further constitutional amendment when any change is needed; and

5 WHEREAS, a serious analysis of the state constitution is necessary to address the 6 state's critical needs; to undertake an in-depth consideration of reform proposals; and to craft 7 provisions that allow for flexibility and innovation in legislative solutions to problems of the 8 present and the future, and the standing committees of the legislature are uniquely positioned 9 to recognize issues and recommend appropriate and necessary revisions.

10 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby 11 urge and request each standing committee of each house of the legislature to meet and 12 function as a joint committee with the standing committee of the other house which has a 13 substantially similar subject matter jurisdiction to study the provisions of the Constitution 14 of Louisiana within the jurisdiction of the joint committee, to report its activities regarding 15 those provisions, and to include in such report its analysis of those provisions to the 16 legislature, no later than March 15, 2023.

17 BE IT FURTHER RESOLVED that Legislature of Louisiana does hereby request 18 each joint committee to specifically include in its report all of the following information:

19 (1) Identification of the provisions of the constitution within its purview that 20 constitute fundamental law.

21 (2) Identification of language in the provisions of the constitution within its purview 22 that is not considered fundamental law and that either from a best practice or comparative 23 perspective is unusual for a constitution or is most commonly statutory in nature.

24 (3) Identification of language in the provisions of the constitution within its purview 25 that is legally unnecessary, redundant, or obsolete.

26 (4) Identification of language in the provisions of the constitution within its purview 27 that is transitional in nature and which should either be removed or updated.

28 (5) Identification of language in the provisions of the constitution within its purview 29 that, from an organizational or structural perspective, should either be placed elsewhere in 30 the constitution or reworded.

- 1 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby request
- 2 the clerk of the House of Representatives and the secretary of the Senate to jointly review
- 3 and assign each provision of the Constitution of Louisiana to the appropriate joint committee
- 4 or committees no later than fifteen days after the adoption of this Concurrent Resolution.

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)]

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Requests each standing committee of each house of the legislature to meet and function as a joint committee with the standing committee of the other house which has a substantially similar subject matter jurisdiction to study the provisions of the Constitution of La. within the jurisdiction of the joint committee and to report and make recommendations thereon to the legislature no later than March 15, 2023.