HLS 12RS-1690 **ORIGINAL**

Regular Session, 2012

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HOUSE RESOLUTION NO. 14

BY REPRESENTATIVES SMITH, HUNTER, AND KATRINA JACKSON

LEGISLATIVE AFFAIRS: Requires further public hearing and opportunity for public testimony on certain bills after typical working hours

A RESOLUTION

2	To require additional public hearings and opportunities for public testimony on certain
3	specified proposed legislation and to require such hearings to be held on Fridays
4	after 5:00 p.m., Saturdays, or Sundays.
5	WHEREAS, there are several specific proposed legislative measures, particularly
6	House Bill No. 976 and Senate Bill No. 597 (school choice), House Bill No. 974 and Senate
7	Bill No. 603 (teacher tenure), House Bill No. 933 and Senate Bill No. 581 (early childhood
8	education), and House Bill No. 969 (tax rebate to taxpayers who donate to certain school
9	tuition organizations), being considered in the 2012 Regular Session of the Legislature of
10	Louisiana, passage of which would affect K-12 school children and their teachers and
11	parents as well as school administrations and systems; and
12	WHEREAS, the legislature should provide the maximum opportunity for school
13	teachers and administrators and the parents of school children to attend and participate in
14	public hearings regarding these legislative instruments; and
15	WHEREAS, Article III, Section 15 of the Constitution of Louisiana requires that
16	action on a matter intended to have the effect of law be taken only in an open, public
17	meeting and provides that no bill shall be considered for final passage unless a committee
18	has held a public hearing on the bill; and
19	WHEREAS, the Open Meetings Law provides that "It is essential to maintaining a
20	democratic society that public business be performed in an open and public manner and that

the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy"; and

WHEREAS, House Rule 6.9(A) of the Rules of Order of the House of

4 Representatives provides that "No legislative instrument shall be reported by a committee

unless an open, public hearing on the instrument has first been held by the committee with

due notice given and opportunity provided for interested persons to appear to testify for or

7 against the proposal"; and

WHEREAS, House Rule 14.32 of the Rules of Order of the House of Representatives provides that "At any time a committee holds a public hearing, whether on an instrument or other matter before the committee, opportunity to appear before the committee shall be provided to a representative number of proponents and opponents on each issue which the instrument or matter presents" and "To be certain that an opportunity is afforded all persons who desire to be heard, the chairman shall inquire at the beginning of the hearing on each matter if there are additional persons who wish to be heard other than those who have previously notified the committee. The chairman shall allot the time available for the hearing in an equitable manner among those persons who are to be heard"; and

WHEREAS, while hundreds, if not thousands, of interested persons took time to attempt to attend and participate in the legislative committee hearings held during the week of March 12 through 16, 2012, holding the hearings during a weekday required many to be absent from their professional duties and the cessation of the school days for students in several locations throughout the state; and

WHEREAS, given the magnitude of the proposed changes, the number of persons that will be impacted by the enactment of such legislation, and the desire and interest of thousands to attend hearings on the proposed legislation, special consideration should be given to holding additional public hearings on such legislation, including hearings by standing committees, on days that would permit maximum public participation; and

WHEREAS, even though the legislature does not normally meet on Fridays, Saturdays, or Sundays, it is imperative to provide an opportunity for stakeholders to engage and be heard; and

1 WHEREAS, holding public hearings on such legislative measures on Fridays after 2 5:00 p.m., Saturdays, or Sundays would accommodate and better afford an opportunity for 3 professionals and other interested persons to attend and participate in the public hearings, 4 would encourage rather than discourage civic participation and promote rather than limit 5 democracy, and would minimize the impact on the operation of schools and school 6 instruction for students. 7 THEREFORE, BE IT RESOLVED by the House of Representatives of the 8 Legislature of Louisiana that the House of Representatives shall provide for additional public 9 hearing and testimony, including hearings by standing committees of the House of 10 Representatives, on House Bill 976 or Senate Bill 597 (school choice), House Bill 974 or 11 Senate Bill 603 (teacher tenure), House Bill 933 or Senate Bill 581 (early childhood 12 education), House Bill 969 (tax rebates to taxpayers who donate to certain school tuition organizations), and any other measure proposing such law and shall further provide that such 13 14 hearings shall be held on Fridays after 5:00 p.m., Saturdays, or Sundays.

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)]

Smith HR No. 14

Provides for additional public hearing and testimony on HB 976 or SB 597 (school choice), HB 974 or SB 603 (teacher tenure), HB 933 or SB 581 (early childhood education), HB 969 (tax rebates to taxpayers who donate to certain school tuition organizations), or any other measure proposing such law and provides that such hearings be held on Fridays after 5:00 p.m., Saturdays, or Sundays.