

Regular Session, 2012

SENATE RESOLUTION NO. 15

BY SENATOR PETERSON

SENATE. Requests public hearings by Senate committees on certain education legislation be held on certain days and times.

A RESOLUTION

To urge and request that public hearings by Senate committees on certain proposed education legislation be held on Fridays after 5:00 p.m., Saturdays, or Sundays.

WHEREAS, there are several specific proposed legislative measures, particularly House Bill 976 and Senate Bill 597 (Student Scholarship for Educational Excellence Program), House Bill 974 and Senate Bill 603 (teacher tenure), House Bill 933 and Senate Bill 581 (early childhood education), and House Bill 969 (tax rebate to taxpayers who donate to certain school tuition organizations), being considered in the 2012 Regular Session, passage of which would affect K-12 school children and their teachers and parents as well as school administrations and systems; and

WHEREAS, legislative committees should provide the maximum opportunity for school teachers and administrators and the parents of school children to attend and participate in public hearings regarding these legislative measures; and

WHEREAS, Article III, Section 15 of the Constitution of Louisiana requires that action on a matter intended to have the effect of law be taken only in open, public meetings and that no bill shall be considered for final passage unless a committee has held a public hearing on the bill; and

WHEREAS, as stated in the Open Meetings Law, it is essential to maintaining a

1 democratic society that public business be performed in an open and public manner and that
2 the citizens be advised of and aware of the performance of public officials and the
3 deliberations and decisions that go into the making of public policy; and

4 WHEREAS, Rule 13:78(A) of the Rules of Order of the Louisiana Senate provides
5 that "(W)hen a committee holds a public hearing on an instrument or other matter,
6 opportunity to appear before the committee shall be provided to a representative number of
7 proponents and opponents on each issue which the instrument or matter presents"; and

8 WHEREAS, while hundreds, if not thousands, of interested persons took time to
9 attempt to attend and participate in the committee hearings held during the week of March
10 12-16, holding the hearings during a weekday required many to be absent from their
11 professional duties and the cessation of the school days for students in several locations
12 throughout the state; and

13 WHEREAS, given the magnitude of the proposed changes, the number of persons
14 that will be impacted by the enactment of such legislation, and the desire and interest of
15 thousands to attend committee hearings on the proposed legislation, special consideration
16 should be given to holding public hearings on such legislation by committees on days that
17 would permit public participation; and

18 WHEREAS, notwithstanding the fact that the legislative committees do not normally
19 meet on Fridays, Saturdays, or Sundays, it is imperative to provide an opportunity for
20 stakeholders to engage and be heard; and

21 WHEREAS, holding public hearings on such legislative measures on Fridays after
22 5:00 p.m., Saturdays, or Sundays would accommodate and better afford an opportunity for
23 professionals and other interested persons to attend and participate in the public hearings,
24 would encourage rather than discourage civic participation and promote rather than limit
25 democracy, and would minimize the impact on the operation of schools and school
26 instruction for students.

27 THEREFORE, BE IT RESOLVED by the Senate of the Legislature of Louisiana that
28 public hearings by a Senate committee on House Bill 976 or Senate Bill 597 (Student
29 Scholarship for Educational Excellence Program), House Bill 974 or Senate Bill 603
30 (teacher tenure), House Bill 933 or Senate Bill 581 (early childhood education), House Bill

1 969 (tax rebates to taxpayers who donate to certain school tuition organizations), or any
2 other measure proposing such law be held on Fridays after 5:00 p.m., Saturdays, or Sundays.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

Peterson

SR No. 15

Requests that public hearings by a Senate committee on HB 976 or SB 597 (Student Scholarship for Educational Excellence Program), 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 be held on Fridays after 5:00 p.m., Saturdays, or Sundays.