

Louisiana House committee forwards bill seeking a constitutional convention

BY TRYFON BOUKOUVIDIS | LSU Manship School News Service

The Louisiana House Appropriations Committee on Monday approved a bill that would call a limited constitutional convention in 2020.

The proposal, which was sent without objection to the House floor, would limit the convention call to local government, financing and education matters.

Rep. Franklin Foil, R-Baton Rouge, who presented the bill, said the goal was to to change the financial and tax laws to give more flexibility to the Legislature and local governments on revenue issues.

Rep. Walt Leger III, D-New Orleans, said there are major issues to be addressed when it comes to the funding of localities by state government. "We're talking about a complete potential revision of the way the government operates in the state," he said.

Leger added that so far talks have concentrated on the freeing up of funds dedicated to specific uses.

"We certainly could deal with those issues in session if that's something that we chose to deal with," Leger said. "I just think that that's an excuse to have a constitutional convention, and I'm not sure that many people across the state would actually support un-dedicating the constitutionally protected funds."

Rep. Gary Carter, D-New Orleans, said he recognized the need for budgetary reforms, but expressed concerns about opening up the Minimum Foundation Program, a formula that determines the cost to educate students at public and elementary schools and allocates state and local funding contributions to each district.

Rep. Pat Smith, D-New Orleans, said she was concerned about discussing that formula "in this convention rather than looking at how do you really fund from a legislative perspective the childhood program that we want to have in our state."

Leger suggested that "whenever you reopen the constitution, you run the risk of sort of reopening any and all issues through the plenary power of the Legislature."

A set of amendments eliminated an advisory committee that would study the prospects of a constitutional convention to drive down costs and reduced the number of delegates from 132 to 117. Instead of electing a delegate from each House district, the amendments called for three delegates to be elected from each Senate district.

Many representatives expressed their concerns over electing delegates from Senate districts.

Rep. Jack McFarland, R-Jonesboro, referred to the possibility of excluding the rural areas from representation. "If you go by Senate districts," he said, "then all three of those members could be elected in the largest metropolitan area."

Rep. Larry Bagley, R-Stonewall, shared McFarland's misgivings. "How can we be sure that we're treated fairly?" he wondered. He said he doesn't think there's an answer to that.

Committee Chair Cameron Henry, R-Metairie, explained that "we all have the same concerns, so we're trying to come up with a different mapping system that maybe already is in place. But right now we're going to look at how the state central committee is divided up to see if that is a better distribution of folks."

Rep. Tony Bacala, R-Prairieville, argued that Louisiana has a "horrible business rating" despite having one of the lowest overall tax rates in the country.

He attributed this to the state's complex tax code. "It doesn't make sense to have a low rate, but fail miserably in terms of complexity," he said.

Foil said people have been "telling me for years now they're not happy with the way things are."

Bacala said legislators had shown over the last two years that they could not reach a consensus on how to change the tax code. "I think this might be the best opportunity and the most important bill that we address this year," he concluded.

Louisiana had its last constitutional convention in 1973. The constitution has been amended 189 times since then.

The Appropriations Committee also sent favorably to the House floor a bill by House Speaker Taylor Barras, R-New Iberia, that would

establish a transparency website to track state government spending and a bill by Foil that would create tax-deferred savings accounts for parents to save for elementary and high school tuitions.

Most states currently offer such options for college savings.

Foil said the bill would allow Louisiana citizens “to take advantage of the federal tax plan, and they can’t take advantage of it unless there is a place to put the money.”