



## CITY OF LAKE CHARLES

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RANDY ROACH  
MAYOR

OFFICE OF THE MAYOR

May 24, 2016

Secretary Kimberly L. Robinson  
Louisiana Department of Revenue  
Post Office Box 201  
Baton Rouge, LA 70821-0201

Dr. James A. Richardson  
Louisiana State University  
Public Administration Institute  
Business Education Complex, Room 2000  
Baton Rouge, LA 70803

RE: Task Force on Structural Change in Budget and Tax Policy

Dear Secretary Robinson and Dr. Richardson:

Our Task Force was formed to make recommendations on structural changes in budget and tax policy by examining the structure and design of the state budget. HCR 11 also invited the Governor to introduce legislative initiatives designed to implement “structural changes” that would bring about long-term improvements in the programs and services of state government and at the same time generate “cost savings through more efficient and effective state operations.”

Apparently we are expected to provide him with some suggestions as to how to do that as well.

Although the Legislature has the authority to reform and improve state government in terms of financial and operational efficiency, it is an extremely difficult task for many reasons. That is true for any large organization – even in the private sector. It should also be noted that Louisiana is not alone in its struggle to deal with developing a more efficient state government.

And as already noted in our first meeting, it would be difficult for us as a Task Force to develop a comprehensive set of recommendations to address those structural issues as well. However, since we were asked to assist the Governor and the Legislature in reforming the current policies and operations of state government in order to provide long-term structural relief from recurring budget deficits, perhaps we should include in our recommendations a process to get that done.

SB 55 by Senator Ronnie Johns provides for such a process. It authorizes the State to create a commission with the constitutional authority to deal with the fundamental issues that are involved in reforming state operations.

The concept of this proposal is based in part on what Congress did to deal with the controversial topic of military base realignments and closures. It enacted the Defense Base Realignment and

Closure Act (BRAC) and created a commission and a process to require Congress to review and reject—but not amend—its recommendations. If not rejected those recommendations are implemented by the Defense Department.

This proposal uses a similar approach to deal with the many different issues involved in the structural reform of state government -- It involves a constitutional amendment creating a "commission" with the authority to propose changes in the structure and operations of state and local government and requires the Legislature to act on those recommendations.

Its power would be limited to operations within the executive branch of state government and related programs. To make it as non-political as possible, members would be barred from holding public office for 2 years after their term on the commission ends. Members and their immediate families would also be subject to the ethics rules.

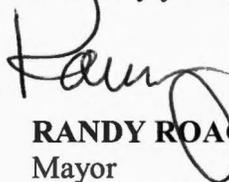
The recommendations adopted by the commission would be treated like regular legislative proposals with one important exception- a super majority (60%) of both the full House and Senate **would have to reject the measure** or it would be submitted to the Governor for approval. If the Governor didn't like the proposal he could veto it.

That means a legislative committee could not defer a commission recommendation. It could recommend amendments. But those amendments would also require approval by a super majority vote of the Legislature – 63 votes in the House and 24 in the Senate. The commission could even propose constitutional amendments that would have to be submitted to the voters for approval unless rejected by the Legislature by a super majority vote.

Attached is an outline used to draft SB 55. Most (not all) of the key provisions were included in the bill. This proposal is admittedly a "novel idea" and still needs some work. Some suggested changes to the bill that we have received since the bill was filed are noted at the end of the outline.

I look forward to your thoughts on the matter and welcome your suggestions as to how this proposal, or something similar, could work.

Sincerely yours,



**RANDY ROACH**  
Mayor  
City of Lake Charles

#### Attachments

C: Members of Task Force on Structural Change in Budget and Tax Policy

## The Louisiana Governmental Reorganization Commission

- Subject matter jurisdiction – The commission shall have the responsibility to review and make recommendation as to the modification, elimination or consolidation of all programs, agencies, functions, and services as well as the organizational structure of state government except the judiciary, the office of the governor and the legislature. The commission may not consider matters of general civil law or criminal law or matters set out in related codes of civil or criminal procedure. Every recommendation must be considered and voted on by membership of both houses of the legislature.
- Membership -- 8 members — 1 member elected from each Congressional district. 2 appointed by the governor from a list of three nominees submitted by the House and Senate. (it will take 5 votes of the commission to approve a recommendation). *Alternative* --7 members -- 5 members appointed just like the Ethics Board plus one member appointed by PAR and CABL.
- Term – not more 4 years. Commission will expire at end of 4 years and may not be reinstated or extended except by 2/3rds vote of both houses. Term will commence 7/1/06 and expire 6/30/10. Commission may terminate activities at anytime after 6/30/08 by vote of 6 or more members. (5 if only 7 members)
- Post term restrictions-- Members not be elected to any state or federal political office for 2 years following expiration of term.
- Recommendations may be pre-filed or submitted to legislature just like any other bill. Revenue measures must originate in the House of Representatives. In a special session the Commission may file recommendations on any item included in the call.
- Recommendations are referred to committee by subject matter just like any other legislative instrument. However committee may not defer but must report the recommendation as drafted to full house. Report is either with amendments or without amendments however amendments must be approved by a separate vote of the full House or Senate. A Favorable or Unfavorable recommendation of committee is not necessary. The instrument must be placed on the regular/special calendar and scheduled for a final vote. The commission may file duplicate recommendations in House and Senate.
- Legislative sponsor --Commission may designate at least one member of each house to handle legislation as author of the measure. If not, Chariman or his designee may present the measure in committee and on floor of House and Senate.

- Recommendations may be rejected or amended by favorable vote of at least 63 members of house and 24 members of senate (no less than 10 days before the end of the regular session.) If not rejected recommendation is submitted to Governor for approval -- or voters (if a constitutional amendment).
- Approval by Governor -- Recommendation (other than a constitutional amendment) must be approved by the Governor just like any legislative measure no less than 5 days before the end of the regular session otherwise it becomes effective. Constitutional amendments must be considered by voters at next available election date.
- Regular Session Veto -- Recommendation not rejected by legislature is considered to be approved and is subject to veto. If Governor vetoes a measure, message must be filed with both houses no later than 2 days prior to last day of session and must be considered by legislature for an **override by majority vote** of the members of each house prior to adjournment of a **regular** session.
- Special Session Veto -- Recommendations (other than a constitutional amendment) submitted during a special session are also subject to veto. However, **no override** of veto is possible.
- Compensation of commissioners same as the judges on the Court of Appeal. The structure, rules of procedure and expenses for operations including staff - similar to that established for Louisiana Ethics Board. May employ other staff and experts as required.
- Ethics - Members are subject to Code of Ethics.
- Open Meetings law exception – may conduct review and investigations of governmental operations in a closed meeting. No action may be taken to approve or amend a recommendation except in an open meeting called and scheduled in accordance with the open meetings law. No recommendation may be approved without adequate opportunity for public review and comment.

Some Comments and possible amendments:

- 1) Reduce the size of the commission
- 2) Eliminate the super majority vote; subject proposals to a majority vote like any other bill or resolution
- 3) Instead of requiring the proposals be rejected – proposals must be approved by majority vote like any other legislative instrument

- 4) Require that legislative proposals be filed and discussed in open meeting at least 10 days before placed on Commission agenda adoption for consideration
- 5) Define the public review and comment provision
- 6) Mirror the Ethics Committee in terms of qualifications for appointment and the process of appointment
- 7) Add restriction on future local elective office
- 8) Budget of committee subject to normal appropriation process – subject to a minimum funding requirement
- 9) Allow the legislature to terminate the Commission by 2/3rds majority vote