



PRESS RELEASE

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PAR SAYS END RUN ON HOME RULE AN OUTRAGE

Local home rule, one of the most important reform concepts in the 1974 state constitution, came under attack Wednesday as a Senate committee unanimously approved a bill to change the Baton Rouge city-parish charter. Questionable local bills are often allowed to slide through the Legislature as a matter of professional courtesy assuming their effect will be limited. However, this one would set a precedent with statewide consequences. The bill is obviously unconstitutional, a fact the Senate Local and Municipal Affairs Committee should have considered before passing it on to the full Senate.

The 1974 state constitution included the following prohibition which elevated "home rule" to a meaningful concept in Louisiana: "The Legislature shall enact no law the effect of which changes or affects the structure and organization or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter."

The Baton Rouge charter clearly and specifically grants the Mayor-President "power to appoint and remove.....the Chief of Police..." The bill to make the police chief elective would clearly change the distribution of powers and functions as provided in the charter. For anyone to construe it otherwise is unthinkable. The charter provides the means for its own amendment—a process that involves a vote of the citizens of the community.

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PAR Says, Add One

This is not the first time that local politicians have attempted end runs around their charters by going to the Legislature. In one parish, councilmen obtained legislation allowing them to receive extra payment for service on boards and commissions—something their parish charter specifically prohibited. In another case, a few parish residents had their legislator push a bill to make a change prohibited by their charter, but the bill was defeated when it was pointed out that it was unconstitutional.

Whether the Baton Rouge police chief should be appointed or elected is a matter to be decided by the people of Baton Rouge, not by legislators representing other communities. This is what home rule is all about and it is a concept worth preserving. The 22 parishes and 30 some municipalities currently operating under home rule charters would all be losers if this bill were to pass and somehow find a receptive court to certify it.