

Regular Session, 2003

HOUSE BILL NO. 370

BY REPRESENTATIVE FAUCHEUX

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize a local government to use certain revenues for industrial development purposes and to provide for use of property of the local governmental subdivision by a person, association, or corporation for such purposes; to provide limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 14(B) of the Constitution of Louisiana, to read as follows:

§14. Donation, Loan, or Pledge of Public Credit

Section 14.

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(B) Authorized Uses. Nothing in this Section shall prevent (1) the use of public funds for programs of social welfare for the aid and support of the needy; (2) contributions of public funds to pension and insurance programs for the benefit of public employees; (3) the pledge of public funds, credit, property, or things of value for public purposes with respect to the issuance of bonds or other evidences of indebtedness to meet public obligations as provided by law; (4) the return of property, including mineral rights, to a former owner from whom the property had previously been expropriated, or purchased under threat of expropriation, when the legislature by law declares that the public and necessary purpose which originally supported the expropriation has ceased to exist and orders the return of the property to the former owner under such terms and conditions as specified by the legislature; (5) acquisition of stock by any institution of higher education in exchange for any intellectual property; (6) the donation of abandoned or blighted housing property by the governing authority of a municipality or a parish to a nonprofit organization which is recognized by the Internal Revenue Service as a 501(c)(3) or 501(c)(4) nonprofit organization and which agrees to renovate and maintain such property until conveyance of the property by such organization; (7) the deduction of any tax, interest, penalty, or other charges forming the basis of tax liens on blighted property so that they may be subordinated and waived in favor of any purchaser who is not a member of the immediate family of the blighted property owner or which is not any entity in which the owner has a substantial economic interest, but only in connection with a property renovation plan approved by an administrative hearing officer appointed by the parish or municipal government where the property is

located; (8) the deduction of past due taxes, interest, and penalties in favor of an owner of a blighted property, but only when the owner sells the property at less than the appraised value to facilitate the blighted property renovation plan approved by the parish or municipal government and only after the renovation is completed such deduction being canceled, null and void, and to no effect in the event ownership of the property in the future reverts back to the owner or any member of his immediate family; (9) the donation by the state of asphalt which has been removed from state roads and highways to the governing authority of the parish or municipality where the asphalt was removed, or if not needed by such governing authority, then to any other parish or municipal governing authority, but only pursuant to a cooperative endeavor agreement between the state and the governing authority receiving the donated property; ~~or~~ (10) the investment in stocks of a portion of the Rockefeller Wildlife Refuge Trust and Protection Fund, created under the provisions of R.S. 56:797, and the Russell Sage or Marsh Island Refuge Fund, created under the provisions of R.S. 56:798, such portion not to exceed thirty-five percent of each fund; or (11) the use by a local governmental subdivision of tax revenues dedicated to industrial or economic development or proceeds from bonds secured by such revenues for the acquisition of immovable property by the local governmental subdivision or for maintenance of such immovable property or other immovable property of the local governmental subdivision, or the granting of the use of such immovable property or any other immovable property of the local governmental subdivision to a person, association, or corporation that, by cooperative endeavor agreement, agrees to locate or expand industrial enterprises within the

local governmental subdivision, provided the consideration to be provided by the person, association, or corporation for use of such property shall be of any such amount or nature as is provided in the cooperative endeavor agreement, a number of residents of the subdivision are employed as a result of such development as specified in the cooperative endeavor agreement, and the cooperative endeavor agreement is approved by the State Bond Commission. For purposes of this Subparagraph, "immovable property" shall mean tracts of land with their component parts.

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Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the gubernatorial primary election to be held in 2003.

Section 3. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

To authorize local governments, in exchange for economic or industrial development, to use tax revenues dedicated to such development or proceeds of bonds secured by such revenues to acquire immovable property or maintain immovable property of the local government or to grant the use of such immovable property or other immovable property of the local government to persons, associations, or corporations that enter into an agreement to locate or expand industrial operations in the area, provided the consideration to be provided by the person, association, or corporation for use of such property is of any

such amount or nature as provided in the agreement, a number of area residents are employed as specified in the agreement, and the agreement is approved by the State Bond Commission.

(Amends Article VII, Section 14 (B))

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE