

Regular Session, 2001

SENATE BILL NO. 4

BY SENATORS HINES AND DARDENNE AND REPRESENTATIVES
BRUNEAU, LANCASTER, MURRAY, PITRE AND WALSWORTH

LEGISLATIVE SESSIONS: Constitutional amendment to provide for
consideration of certain matters during regular sessions in even-
numbered years.(2/3-CA13s1(A))

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A JOINT RESOLUTION

Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana,
to provide for the consideration of certain legislative instruments during
regular sessions; to provide relative to subject matter limitations for and
the duration of regular sessions; to provide deadlines for the prefiling
and introduction of legislation and for certain legislative action; to
provide for the authority of the legislature as related thereto; to specify
an election for submission of the proposition to electors and provide a
ballot proposition; 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, for their approval or rejection in the manner
provided by law, a proposal to amend Article III, Section 2(A) of the
Constitution of Louisiana, to read as follows:

§2. Sessions

1 Section 2.(A)(1) Annual Session. (1) The legislature shall meet
2 annually in regular session for a limited number of legislative days in
3 the state capital. A legislative day is a calendar day on which either
4 house is in session.

5 (2) Any bill to be introduced in either house shall be prefiled no
6 later than five o'clock in the evening of the ~~Friday before~~ tenth calendar
7 day prior to the first day of a regular session; thereafter no member of
8 the legislature may introduce more than five bills, except as provided
9 in the joint rules of the legislature.

10 ~~(2)(3)(a)~~ All regular sessions convening in ~~odd-numbered~~ even-
11 numbered years shall be general in nature and shall convene at noon on
12 the last Monday in March. The legislature shall meet in such a session
13 for not more than sixty legislative days during a period of eighty-five
14 calendar days. No such session shall continue beyond six o'clock in the
15 evening of the eighty-fifth calendar day after convening. No new
16 matter intended to have the effect of law shall be introduced or received
17 by either house after ~~midnight of the thirtieth~~ six o'clock in the evening
18 of the twenty-third calendar day. No matter intended to have the effect
19 of law, except a measure proposing a suspension of law, shall be
20 considered on third reading and final passage in either house after
21 ~~midnight~~ six o'clock in the evening of the ~~fifty-fifth~~ fifty-seventh
22 legislative day or of the eighty-second calendar day whichever occurs
23 first, of a regular session, except by a favorable record vote of
24 two-thirds of the elected members of each house.

25 (b) No measure levying or authorizing a new tax by the state or
26 by any statewide political subdivision whose boundaries are
27 coterminous with the state; increasing an existing tax by the state or by

1 any statewide political subdivision whose boundaries are coterminous
2 with the state;³ or legislating with regard to tax exemptions, exclusions,
3 deductions or credits shall be introduced or enacted during a regular
4 session held in an ~~odd-numbered~~ even-numbered year.

5 ~~(3)~~ (4)(a) All regular sessions convening in ~~even-numbered~~
6 odd-numbered years shall convene at noon on the last Monday in April.
7 ~~Each such session shall be restricted to the consideration of legislation~~
8 ~~which provides for enactment of a general appropriations bill,~~
9 ~~implementation of a capital budget, for making an appropriation,~~
10 ~~levying or authorizing a new tax, increasing an existing tax, legislating~~
11 ~~with regard to tax exemptions, exclusions, deductions, reductions,~~
12 ~~repeal, or credits, or issuing bonds.~~ The legislature shall meet in such
13 a session for not more than ~~thirty~~ forty-five legislative days in a period
14 of ~~forty-five~~ sixty calendar days. No such session shall continue
15 beyond six o'clock in the evening of the ~~forty-fifth~~ sixtieth calendar day
16 after convening. No new matter intended to have the effect of law shall
17 be introduced or received by either house after ~~midnight~~ six o'clock in
18 the evening of the tenth calendar day. No matter intended to have the
19 effect of law, except a measure proposing a suspension of law, shall be
20 considered on third reading and final passage in either house after
21 ~~midnight of the twenty-seventh~~ six o'clock in the evening of the forty-
22 second legislative day of a regular session or the fifty-seventh calendar
23 day, whichever occurs first, except by a favorable record vote of
24 two-thirds of the elected members of each house.

25 (b) During any session convening in an odd-numbered year, no
26 matter intended to have the effect of law, including any suspension of

1 law, shall be introduced or considered unless its object is to enact the
2 General Appropriation Bill; enact the comprehensive capital budget;
3 make an appropriation; levy or authorize a new tax; increase an existing
4 tax; levy, authorize, increase, decrease, or repeal a fee; dedicate
5 revenue; legislate with regard to tax exemptions, exclusions,
6 deductions, reductions, repeals, or credits; or legislate with regard to
7 the issuance of bonds. In addition, a matter intended to have the effect
8 of law, including a measure proposing a suspension of law, which is
9 not within the subject matter restrictions provided in this Subparagraph
10 may be considered at any such session if:

11 (i) It is prefiled no later than the deadline provided in
12 Subparagraph (2) of this Paragraph, provided that the member shall not
13 prefile more than five such matters pursuant to this Subsubparagraph;

14 or

15 (ii) Its object is to enact a local or special law which is required
16 to be and has been advertised in accordance with Section 13 of this
17 Article and which is not prohibited by the provisions of Section 12 of
18 this Article.

19 * * *

20 Section 2. Be it further resolved that this proposed amendment shall be
21 submitted to the electors of the state of Louisiana at the statewide election to
22 be held on November 5, 2002.

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

1 To change general legislative sessions from odd-numbered years
 2 to even-numbered years and fiscal sessions from even-numbered
 3 years to odd-numbered years; to provide for the consideration
 4 of not more than five prefiled bills per member which are not
 5 within the subject matter limitations during fiscal sessions; to
 6 provide that the legislature, during fiscal sessions may consider
 7 legislation which levies, authorizes, increases, decreases, or
 8 repeals a fee or which dedicates revenue, and local and special
 9 bills; to extend the length of the fiscal sessions; and to provide
 10 for certain legislative deadlines during annual regular sessions.
 11 (Amends Article III, Section 2(A))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Hines, et al (SB 4)

Abstract: Changes general sessions to even-numbered years and fiscal sessions to odd-numbered years. Allows the legislature to consider during fiscal sessions legislation regarding fees, dedications of revenue, local and special matters, and not more than five prefiled "general subject" bills, extends fiscal sessions to 45 legislative days in 60 calendar days, and changes some procedural deadlines for all regular sessions.

Present constitution (Art. III, Section 2(A)) provides that the legislature shall meet annually in regular session. Provides that, during any regular session, any bill to be introduced must be prefiled no later than 5 p.m. of the Friday before the first day of the session. Permits each member of the legislature to introduce not more than five bills which were not prefiled. (The legislature is authorized to provide for exceptions to this limitation by joint rule.) Present constitution (Art. XIII, Section 1) provides that a constitutional amendment must be prefiled at least 10 days prior to the regular session at which it is to be considered.

Proposed constitutional amendment changes the prefiling deadline for bills to 5 p.m. on the tenth calendar day prior to the first day of a regular session.

Present constitution provides that in odd-numbered years the regular session convenes at noon on the last Monday in March and that in even-numbered years the regular session convenes at noon on the last Monday in April.

Proposed constitutional amendment changes the convening day in **even-numbered** years to the last Monday in March and the convening day in **odd-numbered** years to the last Monday in April.

Present constitution provides that in odd-numbered years the length of the regular session is not more than 60 legislative days during a period of 85 calendar days.

Proposed constitutional amendment changes the length of the regular session in even-numbered years to not more than 60 legislative days in a period of 85 calendar days.

Present constitution provides that in even-numbered years the length of the regular session is not more than 30 legislative days in a period of 45 calendar days.

Proposed constitutional amendment changes the length of the regular session in an odd-numbered year to not more than 45 legislative days during a period of 60 calendar days.

Present constitution provides that in regular sessions convening in odd-numbered years the deadline for the introduction of bills is midnight of the 30th calendar day.

Proposed constitutional amendment changes the deadline for introduction in even-numbered years to 6 p.m. of the 23rd calendar day.

Present constitution provides that in regular sessions convening in even-numbered years the deadline for the introduction of bills is midnight of the 10th calendar day.

Proposed constitutional amendment changes the deadline for introduction in odd-numbered years to 6 p.m. of the 10th calendar day.

Present constitution provides that in regular sessions convening in odd-numbered years, the deadline for consideration on third reading and final passage of matters intended to have the effect of law is midnight of the 55th legislative day (except by 2/3 vote of both houses). (NOTE: Measures proposing a suspension of law are not subject to the deadline.)

Proposed constitutional amendment changes that deadline in even-numbered years to 6 p.m. of the 57th legislative day or the 82nd calendar day, whichever occurs first (except by 2/3 vote of both houses).

Present constitution provides that in a regular session convening in even-numbered years, the deadline for third reading and final passage of matters intended to have the effect of law is midnight of the 27th legislative day (except by 2/3 vote of both houses). (NOTE: Measures proposing a suspension of law are not subject to the deadline.)

Proposed constitutional amendment changes that deadline in odd-numbered years to 6 p.m. of the 42nd legislative day or the 57th calendar day, whichever occurs first (except by 2/3 vote of both houses).

Present constitution further provides that all regular sessions convening in even-numbered years shall be restricted to the consideration of legislation which provides for the enactment of a general appropriations bill, implementation of a capital budget, for making an appropriation, levying or authorizing a new tax, increasing an existing tax, legislating with regard to tax exemptions, exclusions, deductions, reductions, repeal, or credits, or issuing bonds.

Proposed constitutional amendment removes the subject matter restrictions on sessions convening in even-numbered years in the present constitution and makes those restrictions applicable to sessions convening in **odd-numbered years**. Additionally, proposed constitutional amendment provides for the consideration in such sessions of legislation if its object is to levy, authorize, increase, decrease, or repeal a fee, or to dedicate revenue, or to enact a local or special law, provided such local or special bill is required to be and has been advertised in accordance with the present constitution and is not otherwise a prohibited local or special law as provided by the present constitution. Additionally, proposed constitutional amendment allows the consideration of five prefiled bills per member which are not within the subject matter jurisdiction for the session.

Provides for submission of the proposed amendment to the voters at the statewide election on November 5, 2002 and specifies that it shall be the first ballot proposition for constitutional amendments to appear on the ballot for such election.

(Amends Const. Art. III, §2(A))