

Regular Session, 1999

HOUSE BILL NO. 601

BY REPRESENTATIVE JOHN SMITH

PUBLIC CONTRACTS: (Constitutional Amendment) Provides for the donation or exchange of surplus property between or among agencies of the state or political subdivisions whose primary functions involve public safety

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A JOINT RESOLUTION

Proposing to add Article VII, Section 14(E) of the Constitution of Louisiana, relative to public contracts; to provide for the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety; 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 add Article VII, Section 14(E) of the Constitution of Louisiana, to read as follows:

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

Section 14.

* * *

1 (E) Surplus Property. Nothing in this Section shall prevent the
2 donation or exchange of movable surplus property between or among
3 political subdivisions whose functions include public safety.

4 Section 2. Be it further resolved that this proposed amendment shall be
5 submitted to the electors of the state of Louisiana at the gubernatorial primary
6 election to be held in 1999.

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

11 To authorize the donation or exchange of movable surplus
12 property between or among political subdivisions whose
13 functions include public safety.

DIGEST

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

John Smith

HB No. 601

Present constitution provides that the funds, credit, property, or things of value of the state or any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private.

Present constitution also provides that nothing in present constitution shall prevent the following:

- (1) 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) 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) Return of certain property, including mineral rights, to former owners.
- (5) Acquisition of stock by any institution of higher education in exchange for any intellectual property.
- (6) Donation of abandoned or blighted housing property by a municipality or parish to a nonprofit organization.
- (7) Deduction of certain taxes concerning blighted property to be renovated.
- (8) Cooperative endeavors for a public purpose.

Proposed constitutional amendment retains present constitution and adds that nothing in present constitution shall prevent the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety.

Provides for submission of the proposed amendment to the voters at the gubernatorial primary election in 1999.

(Adds Const. Art. VII, §14(E))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Deletes the applicability to agencies of the state and limits donation or exchange authority between or among political subdivisions whose functions include public safety.
2. Restricts donation or exchange to movable surplus property.