

Regular Session, 1999

SENATE BILL NO. 116

BY SENATORS CAIN, BARHAM AND SMITH

PUBLIC PROPERTY. Constitutional amendment to allow the state to donate asphalt removed from state roads and highways to the parish and municipal governing authorities.

1 A JOINT RESOLUTION

2 Proposing to amend Article VII, Section 14(B) of the Constitution of
3 Louisiana; to allow the state to donate asphalt removed from state roads
4 and highways to certain governing authorities; and to specify an
5 election for submission of the proposition to electors and provide a
6 ballot proposition.

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

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

13 * * *

14 (B) Authorized Uses. Nothing in this Section shall prevent (1)
15 the use of public funds for programs of social welfare for the aid and
16 support of the needy; (2) contributions of public funds to pension and

1 insurance programs for the benefit of public employees; (3) the pledge
 2 of public funds, credit, property, or things of value for public purposes
 3 with respect to the issuance of bonds or other evidences of
 4 indebtedness to meet public obligations as provided by law; (4) the
 5 return of property, including mineral rights, to a former owner from
 6 whom the property had previously been expropriated, or purchased
 7 under threat of expropriation, when the legislature by law declares that
 8 the public and necessary purpose which originally supported the
 9 expropriation has ceased to exist and orders the return of the property
 10 to the former owner under such terms and conditions as specified by
 11 the legislature; (5) acquisition of stock by any institution of higher
 12 education in exchange for any intellectual property; ~~or~~ (6) the donation
 13 of abandoned or blighted housing property by the governing authority
 14 of a municipality or a parish to a nonprofit organization which is
 15 recognized by the Internal Revenue Service as a 501(c)(3) or 501(c)(4)
 16 nonprofit organization and which agrees to renovate and maintain such
 17 property until conveyance of the property by such organization; ~~or~~ **(7)**
 18 **the donation by the state of asphalt which has been removed from**
 19 **state roads and highways to the governing authority of the parish**
 20 **or municipality where the asphalt was removed, or if not needed by**
 21 **such governing authority, then to any other parish or municipal**
 22 **governing authority.**

23 * * *

24 Section 2. Be it further resolved that this proposed amendment shall be
 25 submitted to the electors of the state at the gubernatorial primary election to
 26 be held in 1999.

27 Section 3. Be it further resolved that on the official ballot to be used

1 at the election there shall be printed a proposition, upon which the electors of
 2 the state shall be permitted to vote FOR or AGAINST, to amend the
 3 Constitution of Louisiana, which proposition shall read as follows:

4 To provide for donation by the state of asphalt removed from
 5 state roads and highways to the parish governing authority of the
 6 parish where the asphalt was removed. (Amends Const. Art. VII,
 7 Sec. 14(B))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ben Bradford.

DIGEST

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

Proposed constitutional amendment allows the state to donate asphalt removed from state roads and highways to the parish or municipal governing authority where the asphalt was removed or, if not needed, to any other parish or municipality.

(Amends Const. Art. VII, Sec. 14(B))