

Regular Session, 1999

SENATE BILL NO. 245

BY SENATOR HINES

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 authorize the consideration of certain matters during regular sessions in even-numbered years which are not within the subject matter limitations for such sessions; to provide for the submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Section 2.(A)~~(1)~~ Annual Session. (1) The legislature shall meet annually in regular session for a limited number of legislative days in

1 the state capital. A legislative day is a calendar day on which either
2 house is in session. Any bill to be introduced in either house shall be
3 prefiled no later than five o'clock in the evening of the Friday before
4 the first day of a regular session; thereafter no member of the
5 legislature may introduce more than five bills, except as provided in the
6 joint rules of the legislature. The legislature is authorized to provide by
7 joint rule for the procedures for passage of duplicate or companion
8 instruments.

9 (2) All regular sessions convening in odd-numbered years shall
10 be general in nature and shall convene at noon on the last Monday in
11 March. The legislature shall meet in such a session for not more than
12 sixty legislative days during a period of eighty-five calendar days. No
13 such session shall continue beyond six o'clock in the evening of the
14 eighty-fifth calendar day after convening. ~~No~~ **Except for a suspension**
15 **of law as provided for in Section 20 of this Article, no** new matter
16 intended to have the effect of law shall be introduced or received by
17 either house after midnight of the thirtieth calendar day. No matter
18 intended to have the effect of law, except a measure proposing a
19 suspension of law, shall be considered on third reading and final
20 passage in either house after midnight of the fifty-fifth legislative day,
21 ~~of a regular session,~~ except by a favorable record vote of two-thirds of
22 the elected members of each house. No measure levying or authorizing
23 a new tax by the state or by any statewide political subdivision whose
24 boundaries are coterminous with the state, increasing an existing tax by
25 the state or by any statewide political subdivision whose boundaries are
26 coterminous with the state, or legislating with regard to tax exemptions,
27 exclusions, deductions, or credits shall be introduced or enacted during

1 a regular session held in an odd-numbered year.

2 (3)(a) All regular sessions convening in even-numbered years
 3 shall convene at noon on the last Monday in April. ~~Each such session~~
 4 ~~shall be restricted to the consideration of legislation which provides for~~
 5 ~~enactment of a general appropriations bill, implementation of a capital~~
 6 ~~budget, for making an appropriation, levying or authorizing a new tax,~~
 7 ~~increasing an existing tax, legislating with regard to tax exemptions,~~
 8 ~~exclusions, deductions, reductions, repeal, or credits, or issuing bonds.~~

9 The legislature shall meet in such a session for not more than thirty
 10 legislative days in a period of forty-five calendar days. No such
 11 session shall continue beyond six o'clock in the evening of the
 12 forty-fifth calendar day after convening. ~~No~~ **Except for a suspension**

13 **of law as provided for in Section 20 of this Article, no** new matter
 14 intended to have the effect of law shall be introduced or received by
 15 either house after midnight of the tenth calendar day. No matter
 16 intended to have the effect of law, except a measure proposing a
 17 suspension of law, shall be considered on third reading and final
 18 passage in either house after midnight of the twenty-seventh legislative
 19 day, ~~of a regular session,~~ except by a favorable record vote of
 20 two-thirds of the elected members of each house. **No matter intended**
 21 **to have the effect of law, including any suspension of law, shall be**
 22 **considered unless it provides for enactment of a general**
 23 **appropriation bill, implementation of a capital budget, for making**
 24 **an appropriation, levying or authorizing a new tax, increasing an**
 25 **existing tax, legislating with regard to tax exemptions, exclusions,**
 26 **deductions, reductions, repeal, or credits, or issuing bonds.**

27 **(b) In addition to matters which may be considered pursuant**

1 **to Subsubparagraph (a) of this Subparagraph, each member may**
 2 **file not more than five bills which would otherwise be considered**
 3 **only in regular sessions in odd-numbered years provided such bills**
 4 **are prefiled not later than five o'clock in the evening on the Friday**
 5 **before the first day of session.**

6 **(c) Notwithstanding any provision of this Paragraph to the**
 7 **contrary, any legislative instrument intended to have the effect of**
 8 **law, including a suspension of law, may be considered at any such**
 9 **session if it provides for the enactment of a local or special law**
 10 **which has been advertised in accordance with Article III, Section 13**
 11 **and is not prohibited by the provisions of Article III, Section 12.**

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

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

20 To provide that, during regular legislative sessions in even-
 21 numbered years, the legislature may consider legislative
 22 instruments intended to have the effect of law which are not
 23 within the subject matter limitations for such sessions if they are
 24 prefiled not later than the Friday before the sessions begins, not
 25 to exceed five such instruments per member and to provide that
 26 the legislature may consider certain legislative instruments
 27 intended to have the effect of law which provide for the

1 enactment of a local or special law. (Amends Article III,
2 Section 2(A))

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Yolanda J. Dixon.

DIGEST

Present constitution 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 5:00 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. Provides that the legislature is authorized to provide for exceptions to this limitation by joint rule.

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

Proposed constitutional amendment provides instead that during such a regular session no matter intended to have the effect of law, including a suspension of law, shall be considered unless it provides for the same subject matters as are allowed in the present constitution.

Proposed constitutional amendment provides that a legislative instrument intended to have the effect of law which would otherwise be considered during a regular session in odd-numbered years may be considered at any such session if it is prefiled no later than 5:00 p.m. of the Friday before the first day of the session, and prohibits a member from pre-filing more than five such instruments.

Proposed constitutional amendment additionally provides that a legislative instrument intended to have the effect of law may be considered during a fiscal session if it provides for the enactment of a local or special law which has been duly advertised.

Present constitution also provides that during a regular session in an even-numbered year no new matter intended to have the effect of law shall be introduced after midnight of the 10th calendar day and that during a regular session in an odd-numbered year no new matter intended to have the effect of law shall be introduced after midnight of the 30th calendar day. Present constitution (Art. III, §20) specifically excepts measures suspending a law from these time limitations for introduction.

Proposed constitutional amendment specifically retains this exception from the time limitations for introduction.

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

(Amends Article III, Section 2(A))