

Regular Session, 1999

SENATE BILL NO. 245 (Duplicate of House Bill No. 2277)

BY SENATOR HINES AND REPRESENTATIVE WINDHORST AND  
COAUTHORED BY REPRESENTATIVES DOWNER,  
BRUNEAU, COPELIN, LANCASTER, ALARIO,  
ALEXANDER, BARTON, BAUDOIN, BAYLOR, BRUCE,  
CARTER, CLARKSON, CRANE, CURTIS, DAMICO,  
DANIEL, DEVILLE, DIEZ, DUPRE, DURAND, FARVE,  
FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE,  
GAUTREAUX, GLOVER, GREEN, GUILLORY,  
HAMMETT, HEATON, HEBERT, HILL, HOLDEN,  
HOPKINS, HUDSON, HUNTER, ILES, JETSON, JOHNS,  
KENNARD, KENNEY, LEBLANC, LONG,  
MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM,  
MCDONALD, MICHOT, MITCHELL, MONTGOMERY,  
MORRELL, MURRAY, ODINET, PERKINS, PIERRE,  
PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE,  
SALTER, SCALISE, SCHNEIDER, SCHWEGMANN,  
SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN,  
THERIOT, THOMPSON, THORNHILL, TRAVIS,  
TRICHE, WADDELL, WALSWORTH, WARNER,  
WELCH, WESTON, WIGGINS, WILKERSON,  
WILLARD, AND WRIGHT

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 prefilings  
and introduction of legislation and for certain legislative action; to  
provide for the authority of the legislature as related thereto; to provide  
for the 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, 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 the state capital. A legislative day is a calendar day on which either house is in session. **No regular session shall continue beyond June thirtieth of any year.**

(2) Any bill to be introduced in either house shall be prefiled no later than five o'clock in the evening of the ~~Friday~~ **Wednesday** before the first day of a regular session; thereafter no member of the legislature may introduce more than five bills, except as provided in the joint rules of the legislature. The legislature is authorized to provide by joint rule for the procedures for passage of duplicate or companion instruments.

~~(2)~~**(3)(a)** All regular sessions convening in odd-numbered years shall be general in nature and shall convene at noon on the last Monday in March. The legislature shall meet in such a session for not more than sixty legislative days during a period of eighty-five calendar days. No such session shall continue beyond six o'clock in the evening of the eighty-fifth calendar day after convening. No new matter intended to have the effect of law shall be introduced or received by either house after ~~midnight of the thirtieth~~ **six o'clock in the evening of the twenty-third** calendar day. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on third reading and final passage in either house after ~~midnight of the fifty-fifth~~ **six o'clock in the evening of the fifty-seventh** legislative day

or the eighty-second calendar day, whichever occurs first, of a regular session, except by a favorable record vote of two-thirds of the elected members of each house.

(b) No measure levying or authorizing a new tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; increasing an existing tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; or legislating with regard to tax exemptions, exclusions, deductions, or credits **in a manner which results in or has the effect of an increase in tax liability** shall be introduced or enacted during a regular session held in an odd-numbered year.

**(c) Per diem paid to members during a regular session held in an odd-numbered year shall be limited to eighty-five days.**

~~(3)~~**(4)(a)** All regular sessions convening in even-numbered years shall convene at noon on the last **third** Monday in April. Each such session shall be restricted to the consideration of legislation which provides for 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. The legislature shall meet in such a session for not more than ~~thirty~~ **forty-five** legislative days in a period of ~~forty-five~~ **sixty** calendar days. No such session shall continue beyond six o'clock in the evening of the ~~forty-fifth~~ **sixtieth** calendar day after convening. No new matter intended to have the effect of law shall be introduced or received by either house after ~~midnight~~ **six o'clock in the evening** of the tenth calendar day. No matter intended to have the effect of law, except a

measure proposing a suspension of law, shall be considered on third reading and final passage in either house after ~~midnight of the twenty-seventh~~ **six o'clock in the evening of the forty-third** legislative day **or the fifty-eighth calendar day, whichever occurs first**, of a ~~regular session~~, except by a favorable record vote of two-thirds of the elected members of each house.

**(b) During any session convening in an even-numbered year, no matter intended to have the effect of law, including any suspension of law, shall be introduced or considered unless its object is to enact the General Appropriation Bill; enact the comprehensive capital budget; make an appropriation; levy or authorize a new tax; increase an existing tax; levy, authorize, increase, decrease, or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits; or legislate with regard to the issuance bonds. In addition, a legislative instrument intended to have the effect of law, including a suspension of law, which is not within the subject matter restrictions provided in this Subparagraph may be considered at any such session if:**

**(i) It is prefiled as provided in Subparagraph (2) of this Paragraph, however no member may prefile more than five such instruments; or**

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

**(c) Per diem paid to members during a regular session held**

in an even-numbered year shall be limited to sixty days.

(5) Except for the restriction on the number of legislative days for each regular legislative session, the legislature may modify the provisions of Subparagraphs (2), (3)(a), and (4)(a) of this Paragraph for subsequent annual sessions, and then only by joint rule adopted by a favorable vote of two-thirds of the elected members of each house and according to the same procedure and formalities required for the passage of a law, except that it shall not be subject to gubernatorial veto or time limitations for introduction.

\* \* \*

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state at the gubernatorial primary election to be held in 1999, and shall be the first ballot proposition for constitutional amendments to appear on the ballot for such election.

Section 3. Be it further resolved that on the official ballot to be used at the 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 prohibit the legislature from considering measures which result in an increase in tax liability in an odd-numbered year; to limit the legislature to and provide for consideration of not more than five prefiled bills per member which are not within the subject matter limitations during regular sessions in even-numbered years; to provide that the legislature, during sessions in even-numbered years, may consider legislation which levies, authorizes, increases, decreases, or repeals a fee or which dedicates revenue and properly advertised local and special

bills; to require pre-filing of bills, subject to certain exceptions, no later than five o'clock on the Wednesday prior to the first day of a regular legislative session; to change the date that regular sessions in even-numbered years convene; to extend the length of regular sessions in even-numbered years; to provide for time limits for the introduction and consideration on final passage of matters intended to have the effect of law; and to provide that the legislature may change procedural matters relating to sessions only by a two-thirds vote. (Amends Article III, Section 2(A))

---

PRESIDENT OF THE SENATE

---

SPEAKER OF THE HOUSE OF REPRESENTATIVES