

Regular Session, 2001

SENATE BILL NO. 4

BY SENATORS HINES AND DARDENNE

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

1 A JOINT RESOLUTION

2 Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana,  
3 to provide for the consideration of certain legislative instruments during  
4 regular sessions; to provide relative to subject matter limitations for and  
5 the duration of regular sessions; to provide deadlines for the prefiling  
6 and introduction of legislation and for certain legislative action; to  
7 provide for the authority of the legislature as related thereto; to specify  
8 an election for submission of the proposition to electors and provide a  
9 ballot proposition; and to provide for related matters.

10 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of  
11 the members elected to each house concurring, that there shall be submitted  
12 to the electors of the state, for their approval or rejection in the manner  
13 provided by law, a proposal to amend Article III, Section 2(A) of the  
14 Constitution of Louisiana, to read as follows:

15 §2. Sessions

16 Section 2.(A)(~~1~~) Annual Session. **(1)** The legislature shall meet

1           annually in regular session for a limited number of legislative days in  
2           the state capital. A legislative day is a calendar day on which either  
3           house is in session. **No regular session shall continue beyond June**  
4           **thirtieth of any year.**

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~~ **Wednesday** before  
7           the first day of a regular session; thereafter no member of the  
8           legislature may introduce more than five bills, except as provided in the  
9           joint rules of the legislature. The legislature is authorized to provide by  
10          joint rule for the procedures for passage of duplicate or companion  
11          instruments.

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

1 house.

2 **(b)** No measure levying or authorizing a new tax by the state or  
 3 by any statewide political subdivision whose boundaries are  
 4 coterminous with the state;~~;~~ increasing an existing tax by the state or by  
 5 any statewide political subdivision whose boundaries are coterminous  
 6 with the state;~~;~~ or legislating with regard to tax exemptions, exclusions,  
 7 deductions or credits shall be introduced or enacted during a regular  
 8 session held in an odd-numbered year.

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

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

1 passage in either house after ~~midnight of the twenty-seventh~~ **six o'clock**  
 2 **in the evening of the thirty-eighth** legislative day **or the forty-eighth**  
 3 **calendar day, whichever occurs first**, of a regular session, except by  
 4 a favorable record vote of two-thirds of the elected members of each  
 5 house.

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

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

22 **(ii) If its object is to enact a local or special law which is**  
 23 **required to be and has been advertised in accordance with Section**  
 24 **13 of this Article and which is not prohibited by the provisions of**  
 25 **Section 12 of this Article.**

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



1           dedicates revenue and properly advertised local and special  
 2           bills; to require prefiling of bills, subject to certain exceptions,  
 3           no later than five o'clock on the Wednesday prior to the first day  
 4           of a regular legislative session; to change the date that regular  
 5           sessions in even-numbered years convene; to extend the length  
 6           of regular sessions in even-numbered years; to provide for time  
 7           limits for the introduction and consideration on final passage of  
 8           matters intended to have the effect of law; and to provide that  
 9           the legislature may change procedural matters relating to  
 10          sessions only by a two-thirds vote. (Amends Article III, Section  
 11          2(A))

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The original instrument was prepared by Yolanda Johnson Dixon. The following digest, which does not constitute a part of the legislative instrument, was prepared by Peggy Russell.

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Hines (SB 4)

## DIGEST

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 (not constitutional amendments) to 5 p.m. on the Wednesday prior to the first day of a regular session. Proposed constitutional amendment additionally specifies that no regular session shall continue beyond June 30th of any year.

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 odd-numbered years to the last Wednesday in March and the convening day in even-numbered years to the third Wednesday 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 an odd-numbered year to not more than 60 legislative days during a period of 80 consecutive 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 even-numbered years to not more than 40 legislative days in a period of 50 consecutive calendar days.

Proposed constitutional amendment limits payment of per diem to members in regular sessions to 80 days in an odd-numbered year and to 40 days in an even-numbered year.

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 that deadline 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 that deadline 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 to 6 p.m. of the 57th legislative day or the 77th calendar day, whichever occurs first (except by 2/3 vote of both houses).

Present constitution provides that in 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 to 6 p.m. of the 38th legislative day or the 48th 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 includes the same subject matter restrictions as are provided in the present constitution but additionally 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.

Proposed constitutional amendment allows the legislature to modify by joint rule adopted by a 2/3 vote of both houses, the provisions of the constitution relating to legislative sessions, except for the restrictions on the number of legislative days in a regular session, the fact that the legislature meets in annual regular sessions, the definition of a legislative day, the fact that a regular session cannot continue beyond June 30th of any year, the limit on the number of days per diem may be paid to members during regular sessions, and the subject matter restrictions for each session.

Provides for submission of the proposed amendment to the voters at the congressional primary election in 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))

#### Summary of Amendments Adopted by Senate

##### Senate Floor Amendments to engrossed bill.

1. Changes the convening day of regular sessions in odd-numbered years from the last Monday in March to the last Wednesday in March.
2. Changes the convening day of regular sessions in even-numbered years from the third Monday in April to the third Wednesday in April.
3. Changes the length of regular sessions in odd-numbered years from not more than 60 legislative days during a period of 85 calendar days to not more than 60 days during a period of 80 consecutive calendar days.
4. Changes the length of regular session in even-numbered years



from not more than 45 legislative days in a period of 60 calendar days to 40 legislative days in a period of 50 consecutive calendar days.

5. Changes the option of the deadline for consideration on 3rd reading and final passage of legislation during an odd-numbered year from the 82nd calendar day to the 77th calendar day if such day occurs prior to the deadline of 6 p.m. on the 57th legislative day.
6. Changes the deadline for consideration on 3rd and final passage of legislation during an even-numbered year from 6 p.m. of the 43rd legislative day or the 58th calendar day, whichever comes first to 6 p.m. on the 38th legislative day or the 48th calendar day, whichever comes first.
7. Changes the limits on payments of per diem to members in regular sessions from 85 days to 80 days in odd-numbered years and from 60 days to 40 days in even-numbered years.