Regular Session, 2011

HOUSE BILL NO. 277

BY REPRESENTATIVES WILLIAMS, ARNOLD, GEYMANN, AND JANE SMITH

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC BUILDINGS/ST CAPL: Provides for a Ten Commandments monument on the state capitol grounds

AN ACT

To enact R.S. 49:150.1(H), relative to the state capitol complex; to provide for a Ten Commandments monument on the state capitol grounds; to provide that the commissioner of administration shall select a proposal and arrange for installation; to provide for design, construction, and installation of the monument without cost to the state; to provide for content and limitations; to authorize delegation of the commissioner's responsibilities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:150.1(H) is hereby enacted to read as follows:

§150.1. State capitol complex; allocation of space; maintenance; law enforcement officer and firefighter memorial; Ten Commandments monument

* * *

H.(1) The commissioner of administration shall permit and arrange for the placement on the state capitol grounds of a suitable monument displaying the Ten Commandments. The commissioner shall designate the location of the monument, which shall be among other monuments, and shall oversee its installation, but design, construction, placement, and maintenance of the monument shall be without cost to the state. The commissioner may delegate his responsibilities provided in this Subsection to the office of state buildings.

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(2) The commissioner shall accept and consider proposals for the monument from private entities and shall select the proposal for the monument that will be installed. In selecting a proposal, the commissioner shall consider the appropriateness of the proposed design, the demonstrated ability of the responsible entity to pay the cost of design, construction, installation, and maintenance of the monument, and any other factor he deems appropriate. The commissioner shall make such selection by December 31, 2011; however, if he has not received an acceptable proposal by that date, he shall select the first acceptable proposal he receives after that date.

(3)(a) The overall dimensions of the monument shall not exceed six feet in height by four feet wide by four feet deep including any base on which the monument sits.

(b) The text on the monument shall be the same as that used on the monument at issue in *Van Orden v. Perry*, 545 U.S. 677 (2005), which the United States Supreme Court ruled constitutional.

(c) The monument shall include a plaque that includes the text of "Context for Acknowledging America's Religious History" as set forth in R.S. 25:1283.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Williams HB No. 277

Abstract: Provides for installation of a Ten Commandments monument on the grounds of the state capitol.

Proposed law requires the commissioner of administration to permit and arrange for the placement on the state capitol grounds of a suitable monument displaying the Ten Commandments. Requires the commissioner to designate the location of the monument, which shall be among other monuments, and to oversee its installation. Permits the commissioner to delegate his responsibilities in proposed law to the office of state buildings.

Proposed law provides that design, construction, placement, and maintenance of the monument shall be without cost to the state.

Proposed law requires the commissioner to consider proposals for the monument from private entities and to select the proposal for the monument that will be installed. Requires him to consider the appropriateness of the proposed design, the demonstrated ability of the

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responsible entity to pay the costs associated with the monument, and any other factor. Provides that the commissioner shall make such selection by Dec. 31, 2011, unless he has not received an acceptable proposal by that date, in which case he shall select the first acceptable proposal he receives after that date.

Proposed law provides that the overall dimensions of the monument shall not exceed six feet in height by four feet wide by four feet deep and that the text on the monument shall be the same as that used on the monument at issue in *Van Orden v. Perry*, which the U.S. Supreme Court ruled constitutional.

Present law provides relative to public displays regarding the religious history of American and La. law. Provides that public displays of the Mayflower Compact, the Ten Commandments, the Declaration of Independence, and Articles I through IV of the Northwest Ordinances shall be accompanied by a document entitled "Context for Acknowledging America's Religious History". Specifies the text to be included in this document.

Proposed law requires that the Ten Commandments monument include a plaque with the text of the "Context for Acknowledging America's Religious History".

(Adds R.S. 49:150.1(H))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Specifies that the location of the monument shall be among other monuments.

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