

**STATEMENT OF PROPOSED CONSTITUTIONAL AMENDMENTS**  
**November 6, 2012**

In compliance with R.S. 18:431, R.S. 18:552, R.S. 18:553 and R.S. 18:1306, a statement of the Proposed Constitutional Amendments in the order in which they will appear on the ballot for the November 6, 2012 election is provided as follows:

1. [Act 873](#) (2012 Regular Session) adds Article VII, Section 10(F)(4)(g).

**Present Constitution** authorizes the legislature to establish a procedure to determine if there will be a projected deficit and an adequate method for adjusting appropriations to eliminate the projected deficit.

**Present Constitution** exempts the following from such adjustments: (a) The Bond Security and Redemption Fund or any bonds secured thereby, or any other funds pledged as security for bonds or other evidences of indebtedness; (b) Severance tax and royalty allocations to parishes; (c) State and statewide retirement system contributions; (d) The Louisiana Education Quality Trust Fund; (e) The Millennium Trust, except appropriations from the trust; and (f) Monies not required to be deposited in the state treasury.

**Proposed Constitutional Amendment** retains present constitution and further provides that the Medicaid Trust Fund for the Elderly is also exempted from such adjustments.

2. [Act 874](#) (2012 Regular Session) amends Article I, Section 11.

**Present Constitution** provides that the right of each citizen to keep and bear arms shall not be abridged and this provision shall not prevent the passage of laws to prohibit carrying a concealed weapon.

**Proposed Constitutional Amendment** provides that the right of each citizen to keep and bear arms is fundamental and shall not be infringed. Further provides that any restriction on this right shall be subject to strict scrutiny.

**Proposed Constitutional Amendment** deletes the provision relating to the passage of laws to prohibit carrying a concealed weapon.

3. [Act 872](#) (2012 Regular Session) amends Article III, Section 2(A)(2), Article X, Section 29(C) and Article XIII, Section 1(A).

**Present Constitution** provides that any bill to be introduced in either house shall be prefiled no later than 5:00 p.m. of the tenth calendar day prior to 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.

**Proposed Constitutional Amendment** provides that: (a) No member of the legislature may introduce more than five bills that were not prefiled, except as provided in the joint rules of the legislature; (b) Except for any bill effecting any change in laws relating to any retirement system for public employees, any bill that is to be prefiled for introduction in either house shall be prefiled no later than 5:00 p.m. of the tenth calendar day prior to the first day of a regular session; and (c) Any bill to effect any change in laws relating to any retirement system for public employees that is to be prefiled for introduction in either house shall be prefiled no later than 5:00 p.m. of the forty-fifth calendar day prior to the first day of a regular session.

**Present Constitution** provides that no proposal to effect any change in existing laws or constitutional provisions relating to any retirement system for public employees shall be introduced in the legislature unless notice of intention to introduce the proposal has been published, without cost to the state, in the official state journal on two separate days with the last day of publication to be at least thirty days before introduction of the bill.

**Proposed Constitutional Amendment** retains present constitution, except changes the last day of publication in the official state journal to be at least sixty days before introduction of the bill.

**Present Constitution** provides that an amendment to this constitution may be proposed by joint resolution at any regular session of the legislature and requires the resolution to be prefiled at least ten days before the beginning of the session in accordance with the rules of the house in which introduced.

**Proposed Constitutional Amendment** requires any joint resolution proposed at a regular session of the legislature which effects any change in constitutional provisions relating to any retirement system for public employees to be prefiled no later than 5:00 p.m. of the forty-fifth calendar day prior to the first day of the session.

4. [Act 875](#) (2012 Regular Session) amends Article VII, Section 21(K)(1).

**Present Constitution** provides an additional homestead exemption on property which is owned and occupied by a veteran with a service-connected disability rating of 100% by the U.S. Department of Veterans Affairs. Further provides that the surviving spouse shall be eligible for this exemption if the exemption was in effect on the property prior to the death of the veteran and the surviving spouse remains the owner of the property.

**Proposed Constitutional Amendment** provides that the surviving spouse shall be eligible for this exemption if the surviving spouse occupies and remains the owner of the property, whether or not the exemption was in effect on the property prior to the death of the veteran.

5. [Act 868](#) (2012 Regular Session) adds Article X, Section 29(G).

**Proposed Constitutional Amendment** authorizes the legislature to provide for the forfeiture of all or part of the benefits from a public retirement system, plan, or fund in this state by any public servant who is convicted of a felony associated with and committed during his public service or employment. Further provides that the legislature may provide for the application of all or part of any forfeited retirement benefits to the unfunded accrued liability of the system, plan or fund.

**Proposed Constitutional Amendment** provides that the forfeiture of public retirement benefits shall apply only to persons employed, re-employed, or elected on or after January 1, 2013 and only to retirement benefits earned on or after January 1, 2013.

6. [Act 869](#) (2012 Regular Session) adds Article VII, Section 21(L).

**Proposed Constitutional Amendment** authorizes the governing authority of New Iberia to enter into contracts to provide for the exemption from ad valorem taxes on property annexed by the city after January 1, 2013, which contracts are effective only if approved by a 2/3 vote of the members of the governing authority of the city. Further provides that a contract shall grant the property owner the exemption for up to five calendar years and the contract may be renewed for up to five additional years if the renewal is approved by a 2/3 vote of the members of the governing authority.

**Proposed Constitutional Amendment** requires all property exempted pursuant to a contract to be listed on the assessment rolls and submitted to the Louisiana Tax Commission or its successor and that no taxes shall be collected during the period of the exemption; however, the exemption authorized shall in no way affect or impair the security of any bonds payable from the proceeds of the tax. Authorizes the legislature to provide by law for implementation of these provisions.

7. [Act 870](#) (2012 Regular Session) amends Article VIII, Sections 5(B)(1), 6(B)(1), and 7(B)(1) and Article X, Sections 3(A) and 43(A) and adds Article VIII, Section 8(D).

**Present Constitution** provides that the Board of Regents, Board of Supervisors for the University of Louisiana System, Board of Supervisors of Louisiana State University and Board of Supervisors of Southern University shall each be composed of two members from each congressional district, which prior to congressional reapportionment after the 2010 census consisted of seven congressional districts, and one member from the state at large appointed by the governor with the consent of the senate.

**Proposed Constitutional Amendment** retains the same number of members for each board at fifteen members, of which two shall be appointed from each congressional district which after congressional reapportionment is now six congressional districts and the remaining member or members shall be appointed from the state at large.

**Present Constitution** provides that the Board of Supervisors of Community and Technical Colleges shall be composed of fifteen members appointed by the governor and two members shall be appointed from each congressional district, which prior to congressional reapportionment after the 2010 census consisted of seven congressional districts, and the remaining member or members shall be appointed from the state at large.

**Proposed Constitutional Amendment** provides with respect to the Board of Regents, Board of Supervisors for the University of Louisiana System, Board of Supervisors of Louisiana State University, Board of Supervisors of Southern University and Board of Supervisors of Community and Technical Colleges, beginning on January 3, 2013 and beginning every ten years thereafter, on the day the members of congress from the newly reapportioned congressional districts take office, any vacancy occurring on the board from a congressional district from which there are two or more board members shall be filled by appointment of an individual from a congressional district from which there are less than two members. Further provides that after the membership of the board includes two members from each congressional district, the next vacancy shall be filled by an appointment from the state at large.

**Present Constitution** provides that the State Civil Service Commission and the State Police Commission shall each be composed of seven members with no more than one appointed member from each congressional district.

**Proposed Constitutional Amendment** retains the same number of members for each commission at seven members, of which at least one appointed member shall be from each congressional district.

**Proposed Constitutional Amendment** provides with respect to the State Civil Service Commission and the State Police Commission that every ten years beginning on the day the members of congress from newly reapportioned congressional districts take office, any vacancy that occurs on the commission shall be filled from a congressional district from which there is no commission member. Allows a vacancy to be filled by an appointment from the state at large only when the membership of the commission includes a member from each congressional district.

8. [Act 871](#) (2012 Regular Session) adds Article VII, Section 21(L).

**Proposed Constitutional Amendment** authorizes the Board of Commerce and Industry to enter into a contract granting an exemption from ad valorem property taxes for property owned or leased by, and used by, a targeted non-manufacturing business in the operation of its facility. Further provides that the exemption is available only to a business which has at least 50% of its total annual sales from its Louisiana site or sites to out-of-state customers or buyers, or to in-state customers or buyers for resale to an out-of-state customer or buyer for ultimate use, or to the federal government or any combination thereof.

**Proposed Constitutional Amendment** provides that the first \$10,000,000 or 10% of fair market value, whichever is greater, of the facility property, the land underlying the facility and other property pertaining to the facility on which ad valorem taxes have previously been paid, inventories, consumables and property eligible for the manufacturing exemption shall not be exempt. Further provides that the contracts shall only be available in parishes which have agreed to participate in the program, in the manner provided by the legislature by law.

9. [Act 876](#) (2012 Regular Session) amends Article III, Section 13.

**Present Constitution** provides that no local or special law shall be enacted unless notice of the intent to introduce a bill to enact such a law has been published on two separate days, without cost to the state, in the official journal of the locality where the matter to be affected is situated. Further provides that the last day of publication shall be thirty days prior to introduction of the bill, requires the notice to state the substance of the contemplated law, and requires every bill to recite that the notice has been given.

**Proposed Constitutional Amendment** retains present constitution and provides that no local or special law to create a security district shall be enacted unless notice of the intent to introduce the bill has been published on three separate days, without cost to the state, in the official journal of the locality where the district is to be situated. Requires the last day of publication of the notice to be at least thirty days prior to introduction of the bill. Further requires the notice to state the substance of the contemplated law, to disclose whether the governing authority of the district would be authorized by the contemplated law to impose and collect a parcel fee within the district, whether the parcel fee will be imposed or may be increased without an election, and the maximum amount of the parcel fee if a maximum amount is set forth in the contemplated law. Further requires every bill to recite that the required notice has been given.