HLS 10RS-1288 ORIGINAL

Regular Session, 2010

HOUSE BILL NO. 384

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BY REPRESENTATIVE MONTOUCET

CIVIL SERVICE/FIRE & POL: (Constitutional Amendment) Provides relative to political activities of certain employees of the municipal fire and police civil service

A JOINT RESOLUTION

## 2 Proposing to repeal Article X, Section 20 of the Constitution of Louisiana, relative to 3 political activities of employees of the municipal fire and police civil service in certain municipalities, parishes, and fire protection districts; to remove the provision 4 5 prohibiting the legislature from amending provisions relative to such employees participating in certain political activities; to provide for submission of the proposed 6 7 amendment to the electors; and to provide for related matters. 8 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members 9 elected to each house concurring, that there shall be submitted to the electors of the state of 10 Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal 11 Article X. Section 20 of the Constitution of Louisiana. 12 Section 2. Be it further resolved that this proposed amendment shall be submitted 13 to the electors of the state of Louisiana at the statewide election to be held on November 2, 14 2010. 15 Section 3. Be it further resolved that on the official ballot to be used at said election 16 there shall be printed a proposition, upon which the electors of the state shall be permitted 17 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall 18 read as follows: 19 To repeal the provision of the Constitution of Louisiana which prohibits the 20 legislature from amending provisions which prohibit employees of the 21 municipal fire and police civil service in certain municipalities, parishes, and

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fire protection districts from participating in certain political activities.

(Repeals Article X, Section 20)

## **DIGEST**

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Montoucet HB No. 384

**Abstract:** Repeals constitutional provision prohibiting the legislature from changing provisions governing the political activities of employees in the classified fire and police civil service in certain municipalities, parishes, and fire protection districts.

<u>Present constitution</u> creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 Const. of La. made statutory by the 1974 constitution. Authorizes the legislature, by law enacted by 2/3 of the elected members of each house, to amend or otherwise modify most of those provisions of the 1921 constitution that were made statutory. <u>Proposed constitutional amendment</u> retains <u>present constitution</u>.

However, <u>present constitution</u> provides specifically that the provision of the 1921 constitution prohibiting certain political activities by members of the fire and police civil service system is retained and continued in force and effect; consequently that provision is not subject to modification by the legislature. <u>Proposed constitutional amendment</u> repeals present constitution.

<u>Present law</u>, not currently subject to modification by the legislature, prohibits certain activities, including activities involving attempting to influence appointments within the classified service, contributions to political organizations, membership in political parties, and political speeches and political statements.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 2, 2010.

(Repeals Const. Art. X, §20)