

Regular Session, 2013

HOUSE BILL NO. 427

BY REPRESENTATIVES FANNIN AND MONTOUCET

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

UTILITIES: (Constitutional Amendment) Limits power of the PSC to regulate nonprofit water utility cooperatives wholly owned by water users

1 A JOINT RESOLUTION

2 Proposing to amend Article IV, Section 21(C) of the Constitution of Louisiana, to limit the
3 power of the Public Service Commission to regulate nonprofit water utility
4 cooperatives or corporations wholly owned by water users; to provide for submission
5 of the proposed amendment to the electors; and to provide for related matters.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
7 elected to each house concurring, that there shall be submitted to the electors of the state of
8 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
9 amend Article IV, Section 21 of the Constitution of Louisiana, to read as follows:

10 §21. Public Service Commission

11 Section 21.

12 * * *

13 (C) Limitation.

14 (1) The commission shall have no power to regulate any common carrier or
15 public utility owned, operated, or regulated on the effective date of this constitution
16 by the governing authority of one or more political subdivisions, except by the
17 approval of a majority of the electors voting in an election held for that purpose;
18 however, a political subdivision may reinvest itself with such regulatory power in the
19 manner in which it was surrendered. This Paragraph shall not apply to safety
20 regulations pertaining to the operation of such utilities.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 4, 2014.

(Amends Const. Art. IV, §21(C))