

February 21, 2000
OPINION NUMBER 2000-39

Ms. Johnette L. Martin
Assistant Parish Attorney
Plaquemines Parish Government
Legal Department
106 Avenue "G"
Belle Chasse, Louisiana 70037

90-A-2 Public Funds - Loan, Pledge or Grants
Article 7, Section 14(A) of Louisiana Constitution of 1974

The Plaquemine Parish Government may not purchase gifts
for its retiring employees.

Dear Ms. Martin:

We received your request for an opinion. Specifically you inquire if the Plaquemines Parish Government may purchase gifts for its retiring employees.

Article 7, Section 14(A) of the Louisiana Constitution of 1974 provides as follows:

Except as otherwise provided by this Constitution, the funds, credit, property, or things of value of the state or of any political subdivision shall not be loaned, pledged or donated to or for any person, association, or corporation, public or private.

The jurisprudence has held that Article 7, Section 14 is violated whenever the state or a political subdivision of the state seeks to give up something of value when it is under no obligation to do so.

Your request indicates that the parish would like to purchase gifts for those employees who are retiring from their employment with the parish. Clearly, under these circumstances, the parish is under no obligation to purchase anything for its employees. Therefore, it is our opinion, as we have opined in the past, that the Plaquemines Parish Government may not purchase gifts for its retiring employees because such purchase would be tantamount to a donation of public funds which is expressly prohibited by the Louisiana Constitution. (See Op. Atty. Gen. 99-261, 98-432, 97-99).

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If you have any questions whatsoever, please do not hesitate to contact our office. With kindest regards,

Yours very truly,

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:

TINA VICARI GRANT
Assistant Attorney General

RPI:TVG:jv

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Syllabus

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Date Received:

Date Released: February 21, 2000

Tina Vicari Grant
Assistant Attorney General