

Regular Session, 2007

SENATE BILL NO. 128

BY SENATORS HEITMEIER, BAJOIE, N. GAUTREAUX, MARIONNEAUX AND
NEVERS

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

LAW ENFORCEMENT. Constitutional amendment to authorize the legislature to permit the payment of supplemental pay to certain sworn commissioned full-time law enforcement officers and certain firefighters. (2/3-CA13s1(A))

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A JOINT RESOLUTION

Proposing to amend Article X, Section 10(A)(1) of the Constitution of Louisiana, relative to state and city civil service commission rules; to authorize supplemental pay for certain sworn, commissioned, law enforcement officers and fire protection officers employed on a full-time basis by a police agency of the state or its political subdivisions and a port authority from any available funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article X, Section 10(A)(1) of the Constitution of Louisiana, to read as follows:

§10. Rules; Investigations; Wages and Hours

Section 10.(A) Rules. (1) Powers. (a) Each commission is vested with broad and general rulemaking and subpoena powers for the administration and regulation of the classified service, including the power to adopt rules for regulating employment, promotion, demotion, suspension, reduction in pay, removal, certification, qualifications, political activities, employment conditions,

1 compensation and disbursements to employees, and other personnel matters and
2 transactions; to adopt a uniform pay and classification plan; to require an appointing
3 authority to institute an employee training and safety program; and generally to
4 accomplish the objectives and purposes of the merit system of civil service as herein
5 established. It may make recommendations with respect to employee training and
6 safety.

7 **(b) Nothing herein shall prevent the legislature from supplementing the**
8 **uniform pay plans for sworn, commissioned law enforcement officers employed**
9 **by a bona fide police agency of the state or its political subdivisions and for fire**
10 **protection officers employed by a port authority, from any available funds of**
11 **the state, the department, the agency, or the political subdivision, provided that**
12 **such supplement may be made available only for those sworn, commissioned**
13 **law enforcement officers employed on a full-time basis who serve the welfare of**
14 **the public in the capacity of a police officer by providing police services to the**
15 **general public, by effecting arrests, issuing citations, and serving warrants while**
16 **patrolling waterways and riverfront areas and for those fire protection officers**
17 **employed on a full-time basis who provide fire protection services to a port**
18 **authority.**

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20 Section 2. Be it further resolved that this proposed amendment shall be submitted
21 to the electors of the state of Louisiana at the statewide election to be held on October 20,
22 2007.

23 Section 3. Be it further resolved that on the official ballot to be used at said election
24 there shall be printed a proposition, upon which the electors of the state shall be permitted
25 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
26 read as follows:

27 To authorize the legislature to supplement the uniform pay plans of sworn,
28 commissioned law enforcement officers employed by a bona fide police
29 agency of the state or its political subdivisions and for fire protection officers

1 employed by a port authority from any available funds of the state, the
 2 department, the agency, or the political subdivision, provided that such
 3 supplement may be made available only for those law enforcement officers
 4 employed on a full-time basis who serve the welfare of the public in the
 5 capacity of a police officer by providing police services to the general public,
 6 by effecting arrests, issuing citations, and serving warrants while patrolling
 7 waterways and riverfront areas and for those fire protection officers
 8 employed on a full-time basis who provide fire protection services to a port
 9 authority. (Amends Article X, Section 10(A)(1))

The original instrument was prepared by Camille Sebastien Perry. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alan Miller.

DIGEST

Heitmeier (SB 128)

Present constitution vests state and city civil service commissions with broad and general rulemaking and subpoena powers for the administration and regulation of the classified service which includes the power to adopt rules regulating compensation and disbursements to employees, and to adopt a uniform pay and classification plan for classified employees.

Proposed constitutional amendment authorizes the legislature to supplement the uniform pay plans for sworn, commissioned law enforcement officers employed by a bona fide police agency of the state or its political subdivisions, from any available funds of the state, the department, the agency, or the political subdivision, provided that such supplement may be made available only for those law enforcement officers employed on a full-time basis by such police agency of the state or its political subdivisions and who serve the welfare of the public in the capacity of a police officer by providing police services to the general public, by effecting arrests, issuing citations, and serving warrants while patrolling waterways and riverfront areas.

Proposed constitutional amendment additionally authorizes the legislature to supplement the uniform pay plans for fire protection officers employed by a port authority from any available funds of the state, the department, the agency, or the political subdivision, provided that such supplement may be made available only for those fire protection officers employed on a full-time basis who provide fire protection services to a port authority.

Specifies submission of the amendment to the voters at the statewide election to be held on October 20, 2007.

(Amends Const. Art. X, Sec.10(A)(1))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Removes provision regarding officers who serve warrants while patrolling levees and bridges.