

Regular Session, 2008

HOUSE BILL NO. 584

BY REPRESENTATIVE DOWNS

EMPLOYMENT: (Constitutional Amendment) Provides relative to contributions to post-employment benefit funds for public employees

1 A JOINT RESOLUTION

2 Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize
3 contributions to post-employment benefits; to provide for submission of the
4 proposed amendment to the electors; and to provide for related matters.

5 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
6 elected to each house concurring, that there shall be submitted to the electors of the state of
7 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
8 amend Article VII, Section 14(B) of the Constitution of Louisiana, to read as follows:

9 §14. Donation, Loan, or Pledge of Public Credit

10 Section 14.

11 * * *

12 (B) Authorized Uses. Nothing in this Section shall prevent (1) the use of
13 public funds for programs of social welfare for the aid and support of the needy; (2)
14 contributions of public funds to pension, other post-employment benefit, and
15 insurance programs for the benefit of public employees; (3) the pledge of public
16 funds, credit, property, or things of value for public purposes with respect to the
17 issuance of bonds or other evidences of indebtedness to meet public obligations as
18 provided by law; (4) the return of property, including mineral rights, to a former
19 owner from whom the property had previously been expropriated, or purchased
20 under threat of expropriation, when the legislature by law declares that the public and

1 necessary purpose which originally supported the expropriation has ceased to exist
2 and orders the return of the property to the former owner under such terms and
3 conditions as specified by the legislature; (5) acquisition of stock by any institution
4 of higher education in exchange for any intellectual property; (6) the donation of
5 abandoned or blighted housing property by the governing authority of a municipality
6 or a parish to a nonprofit organization which is recognized by the Internal Revenue
7 Service as a 501(c)(3) or 501(c)(4) nonprofit organization and which agrees to
8 renovate and maintain such property until conveyance of the property by such
9 organization; (7) the deduction of any tax, interest, penalty, or other charges forming
10 the basis of tax liens on blighted property so that they may be subordinated and
11 waived in favor of any purchaser who is not a member of the immediate family of
12 the blighted property owner or which is not any entity in which the owner has a
13 substantial economic interest, but only in connection with a property renovation plan
14 approved by an administrative hearing officer appointed by the parish or municipal
15 government where the property is located; (8) the deduction of past due taxes,
16 interest, and penalties in favor of an owner of a blighted property, but only when the
17 owner sells the property at less than the appraised value to facilitate the blighted
18 property renovation plan approved by the parish or municipal government and only
19 after the renovation is completed such deduction being canceled, null and void, and
20 to no effect in the event ownership of the property in the future reverts back to the
21 owner or any member of his immediate family; (9) the donation by the state of
22 asphalt which has been removed from state roads and highways to the governing
23 authority of the parish or municipality where the asphalt was removed, or if not
24 needed by such governing authority, then to any other parish or municipal governing
25 authority, but only pursuant to a cooperative endeavor agreement between the state
26 and the governing authority receiving the donated property; (10) the investment in
27 stocks of a portion of the Rockefeller Wildlife Refuge Trust and Protection Fund,
28 created under the provisions of R.S. 56:797, and the Russell Sage or Marsh Island
29 Refuge Fund, created under the provisions of R.S. 56:798, such portion not to exceed

1 thirty-five percent of each fund; (11) the investment in stocks of a portion of the
2 state-funded permanently endowed funds of a public or private college or university,
3 not to exceed thirty-five percent of the public funds endowed; or (12) the investment
4 in equities of a portion of the Medicaid Trust Fund for the Elderly created under the
5 provisions of R.S. 46:2691 et seq., such portion not to exceed thirty-five percent of
6 the fund.

7 * * *

8 Section 2. Be it further resolved that this proposed amendment shall be submitted
9 to the electors of the state of Louisiana at the statewide election to be held on November 4,
10 2008.

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

15 Authorizes the contribution of public funds to post-employment benefits
16 programs for public employees. (Amends Article VII, Section 14(B))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Downs HB No. 584

Abstract: Authorizes the contribution of public funds to post-employment benefit programs for public employees.

Present constitution prohibits the loan, pledge, or donation of the funds, credit, property, or things of value of the state or of a political subdivision. Provides exceptions. One exception allows contributions of public funds to pension and insurance programs for public employees.

Proposed constitutional amendment retains present constitution and provides further that the contribution of public funds to other post-employment benefit programs for public employees is not prohibited

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2008.

(Amends Const. Art. VII, §14(B))