

Regular Session, 2001

HOUSE BILL NO. 485

BY REPRESENTATIVES TOOMY AND JOHN SMITH AND SENATOR HEITMEIER AND REPRESENTATIVES ALARIO, ANSARDI, CAZAYOUX, CLARKSON, CROWE, DAMICO, DEVILLIER, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FLAVIN, FRITH, GLOVER, HEATON, HEBERT, HILL, HUDSON, KATZ, KENNARD, LAFLEUR, LANCASTER, MARTINY, MCCALLUM, NEVERS, ODINET, POWELL, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, GARY SMITH, JACK SMITH, SNEED, STRAIN, THOMPSON, TRICHE, TUCKER, WOOTON, BROOME, AND HOLDEN AND SENATOR CAIN

BUDGETARY CONTROLS: (Constitutional Amendment) Mandates full funding of additional compensation paid to certain local law enforcement and fire protection personnel

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A JOINT RESOLUTION

Proposing to amend Article VII, Section 11(A) and to add Article VII, Section 10(D)(3) of the Constitution of Louisiana, relative to the expenditure of state funds; to require the payment by the state of salary supplements to certain local law enforcement and fire protection officers; to require the inclusion in the budget estimate and the appropriation of funds sufficient to fully fund such state supplements; to prohibit the reduction of such appropriation, except under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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 of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VII, Section 11(A) and

1 to add Article VII, Section 10(D)(3) of the Constitution of Louisiana, to read
 2 as follows:

3 §10. Expenditure of State Funds

4 Section 10.

5 * * *

6 (D) Appropriations.

7 * * *

8 (3)(a) The legislature shall provide by law for the payment by
 9 the state of supplements to the salaries of full-time local law
 10 enforcement and fire protection officers of the state. Beginning with the
 11 fiscal year which begins July 1, 2003, the legislature shall appropriate
 12 funds sufficient to fully fund the cost of such state supplement to the
 13 salaries of full-time law enforcement and fire protection officers.

14 (b) For the purposes of this Subparagraph, local law
 15 enforcement and fire protection officers shall mean and include the
 16 same classes of officers which are eligible for such state salary
 17 supplements under the law as of July 1, 2003.

18 (c) Full funding as required in Subsubparagraph (a) of this
 19 Subparagraph shall be equal to the amount which is required to meet
 20 the requirements of law as such requirements are in effect on July 1,
 21 2001.

22 (d) Neither the governor nor the legislature may reduce an
 23 appropriation made pursuant to this Subparagraph except that the
 24 governor may reduce such appropriation using means provided in the
 25 Act containing the appropriation, provided that two-thirds of the

1 elected members of each house of the legislature consent to any such
 2 reduction in writing.

3 * * *

4 §11. Budgets

5 Section 11.(A) Budget Estimate. The governor shall submit to
 6 the legislature, at the time and in the form fixed by law, a budget
 7 estimate for the next fiscal year setting forth all proposed state
 8 expenditures. This budget shall include a recommendation for
 9 appropriations from the state general fund and from dedicated funds,
 10 except funds allocated by Article VII, Section 4, Paragraphs (D) and
 11 (E), which shall not exceed the official forecast of the Revenue
 12 Estimating Conference and the expenditure limit for the fiscal year.
 13 The recommendation shall also comply with the provisions of Article
 14 VII, Section 10(D). This budget shall include a recommendation for
 15 funding of state salary supplements for full-time law enforcement and
 16 fire protection officers of the state, as provided in Article VII, Section
 17 10(D)(3) of this constitution.

18 * * *

19 Section 2. Be it further resolved that this proposed amendment shall be
 20 submitted to the electors of the state of Louisiana at the statewide election to
 21 be held on November 5, 2002.

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

1 To require the governor's recommended budget estimate to
2 include amounts sufficient to fully fund the cost of state
3 supplemental pay for full-time local law enforcement and fire
4 protection officers as required by law in effect on July 1, 2001;
5 to require, beginning July 1, 2003, appropriations to fully fund
6 such supplemental pay; to provide for the reduction of such
7 appropriations, under certain circumstances, with the consent of
8 two-thirds of the members of each house of the legislature.
9 (Amends Article VII, Section 11(A); Adds Article VII, Section
10 10(D)(3))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Toomy, et al.

HB No. 485

Abstract: Mandates full funding of state salary supplements to certain full-time local law enforcement and fire protection officers beginning July 1, 2003. Defines the class of such eligible local officers. Provides for reducing such appropriations only with the written consent of 2/3 of the members of each house of the legislature.

Proposed constitutional amendment requires the governor to include full funding of state salary supplements for full-time local law enforcement and fire protection officers in his annual budget estimate. Further requires, beginning July 1, 2003, the legislature to appropriate monies sufficient to provide for payment of such salary supplements. Specifies that eligible local officers shall include classes of officers eligible under the law as of July 1, 2003. Provides that full funding shall be the amount needed to meet legal requirements by law as such requirements are in effect on July 1, 2001. Reduction of the appropriation by the governor requires the written consent of 2/3 of the elected members of each house of the legislature.

Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 5, 2002.

(Amends Const. Art. VII, §11(A); Adds Const. Art. VII, §10(D)(3))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Adds requirement that the governor include full funding for supplemental pay in his budget estimate.

House Floor Amendments to the engrossed bill.

1. Specifies that full funding means the amount of supplemental pay required by law which is in effect on July 1, 2001.