

Regular Session, 1999

HOUSE BILL NO. 492

BY REPRESENTATIVES DEWITT AND CRANE

A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(F) of the Constitution of Louisiana, to authorize the Louisiana Workers' Compensation Corporation to participate in any plan, pool, association, guaranty fund, or insolvency fund authorized or required pursuant to the Insurance Code upon the extinguishment of the full faith and credit guarantee of the state; 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 XII, Section 8.1(F) of the Constitution of Louisiana, to read as follows:

§8.1. Workers' Compensation

Section 8.1.

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(F) Guaranty Fund. The corporation shall be exempt from participation in and shall not join or contribute financially to or be

entitled to the protection of any plan, pool, association, or guaranty fund or insolvency fund authorized or required pursuant to the Insurance Code. However, upon the extinguishment of the full faith and credit guarantee of the state, the corporation shall no longer be exempt from participation in, contribution to, and protection under the insurance guaranty association fund created and operating under R.S. 22:1375 et seq., of the Insurance Code. The corporation's participation in, contribution to, and protection under the insurance guaranty association fund shall be on a prospective basis only. This prospective participation, contribution, and protection shall only apply to claims arising from injuries occurring after the extinguishment of the full faith and credit guarantee.

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the gubernatorial general election to be held in 1999.

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

To provide that, upon the extinguishment of the full faith and credit guarantee of the state, the Louisiana Workers' Compensation Corporation shall no longer be exempt or prohibited from participation in any association, guaranty fund, or insolvency fund authorized or required pursuant to the Insurance Code. To provide that the corporation's participation in the guaranty fund association shall be on a prospective basis only. To provide that the participation shall only apply to

claims arising from injuries occurring after the extinguishment of the full faith and credit guarantee. (Amends Article XII, Section 8.1(F))

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE