

ACT No. 422

Regular Session, 2011
HOUSE BILL NO. 384
BY REPRESENTATIVE PEARSON AND SENATOR GAUTREAUX

A JOINT RESOLUTION

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Proposing to amend Article VII, Section 10(D)(2)(b) of the Constitution of Louisiana, to provide for allowable uses of nonrecurring revenue; to provide for the payment of unfunded accrued liabilities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article X, Section 29(C) of the Constitution of Louisiana.

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 10(D)(2)(b) of the Constitution of Louisiana, to read as follows:

§10. Expenditure of State Funds

Section 10.

* * *

(D) Appropriations.

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(2) Except as otherwise provided in this constitution, the appropriation or allocation of any money designated in the official forecast as nonrecurring shall be made only for the following purposes:

* * *

(b)(i) Providing for payments against the unfunded accrued liability of the public retirement systems which are in addition to any payments required for the

1 annual amortization of the unfunded accrued liability of the public retirement
2 systems, as required by Article X, Section 29(E)(2)(c) of this constitution; however,
3 any such payments to the public retirement systems shall not be used, directly or
4 indirectly, to fund cost-of-living increases for such systems.

5 (ii) For Fiscal Years 2013-2014 and 2014-2015 the legislature shall
6 appropriate no less than five percent of any money designated in the official forecast
7 as nonrecurring to the Louisiana State Employees' Retirement System and the
8 Teachers' Retirement System of Louisiana for application to the balance of the
9 unfunded accrued liability of such systems existing as of June 30, 1988, in
10 proportion to the balance of such unfunded accrued liability of each such system.
11 Any such payments to the public retirement systems shall not be used, directly or
12 indirectly, to fund cost-of-living increases for such systems.

13 (iii) For Fiscal Year 2015-2016 and every fiscal year thereafter the
14 legislature shall appropriate no less than ten percent of any money designated in the
15 official forecast as nonrecurring to the Louisiana State Employees' Retirement
16 System and the Teachers' Retirement System of Louisiana for application to the
17 balance of the unfunded accrued liability of such systems existing as of June 30,
18 1988, in proportion to the balance of such unfunded accrued liability of each such
19 system. Any such payments to the public retirement systems shall not be used,
20 directly or indirectly, to fund cost-of-living increases for such systems.

21 * * *

22 Section 2. Be it further resolved that this proposed amendment shall be submitted
23 to the electors of the state of Louisiana at the statewide election to be held on October 22,
24 2011.

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

1 To require in Fiscal Years 2013-2014 and 2014-2015 that five percent of
2 money designated in the official forecast as nonrecurring be applied toward
3 the balance of the unfunded accrued liability which existed as of June 30,
4 1988, for the Louisiana State Employees' Retirement System and the
5 Teachers Retirement System of Louisiana. To further require that in Fiscal
6 Year 2015-2016 and every fiscal year thereafter that ten percent of such
7 nonrecurring revenue be applied to such purposes. (Amends Article VII,
8 Section 10(D)(2)(b))

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE