

Regular Session, 2001

ACT No. 1234

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 SENATORS CAIN, BAJOIE, BEAN, CRAVINS, DUPRE, ELLINGTON, HOLLIS, LENTINI, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, AND SMITH

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

§10. Expenditure of State Funds

Section 10.

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(D) Appropriations.

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

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

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

(d) Neither the governor nor the legislature may reduce an appropriation made pursuant to this Subparagraph except that the governor may reduce such appropriation using means provided in the Act containing the appropriation, provided that two-thirds of the elected members of each house of the legislature consent to any such reduction in writing.

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§11. Budgets

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

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

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 require the governor's recommended budget estimate to include amounts sufficient to fully fund the cost of state supplemental pay for full-time local law enforcement and fire protection officers as required by law in effect on July 1, 2001; to require, beginning July 1, 2003, appropriations to fully fund

such supplemental pay; to provide for the reduction of such appropriations, under certain circumstances, with the consent of two-thirds of the members of each house of the legislature. (Amends Article VII, Section 11(A); Adds Article VII, Section 10(D)(3))

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE