

Regular Session, 2012

SENATE BILL NO. 21

BY SENATOR GUILLORY

LEGIS POWERS/FUNCTIONS. Constitutional amendment to provide for prefiling and notice deadlines for bills affecting public retirement systems. (2/3-CA13s1(A))

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A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A)(2), Article X, Section 29(C), and Article XIII, Section 1(A) of the Constitution of Louisiana, relative to Acts of the legislature relative to public retirement systems; to provide relative to the prefiling deadline for retirement legislation; to provide relative to the public notice requirement for retirement legislation; to provide for submission of the proposed amendment to the electors; and to provide a ballot proposition.

Notice of intention to introduce this Act has been published.

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 III, Section 2(A)(2) of the Constitution of Louisiana, to read as follows:

§2. Sessions

Section 2.(A) Annual Session.

\* \* \*

(2)(a) **Any prefiled bill to effect any change in laws relating to any retirement system for public employees to be introduced in either house shall**

1 **be prefiled no later than five o'clock in the evening of the forty-fifth calendar**  
 2 **day prior to the first day of a regular session.**

3 (b) Any bill **other than a bill to effect any change in laws relating to any**  
 4 **retirement system for public employees** to be introduced in either house shall be  
 5 prefiled no later than five o'clock in the evening of the tenth calendar day prior to the  
 6 first day of a regular ~~session~~; **session.**

7 (c) ~~thereafter~~ **After five o'clock in the evening of the tenth calendar day**  
 8 **prior to the first day of a regular session** no member of the legislature may  
 9 introduce more than five bills, except as provided in the joint rules of the legislature.  
 10 The legislature is authorized to provide by joint rule for the procedures for passage  
 11 of duplicate or companion instruments.

12 \* \* \*

13 Section 2. Be it further resolved by the Legislature of Louisiana, two-thirds of the  
 14 members elected to each house concurring, that there shall be submitted to the electors of  
 15 the state of Louisiana, for their approval or rejection in the manner provided by law, a  
 16 proposal to amend Article X, Section 29(C) of the Constitution of Louisiana, to read as  
 17 follows:

18 §29. Retirement and Survivor's Benefits

19 Section 29.

20 \* \* \*

21 (C) Retirement Systems; Change; Notice. No proposal to effect any change  
 22 in existing laws or constitutional provisions relating to any retirement system for  
 23 public employees shall be introduced in the legislature unless notice of intention to  
 24 introduce the proposal has been published, without cost to the state, in the official  
 25 state journal on two separate days. The last day of publication shall be at least ~~thirty~~  
 26 **sixty** days before introduction of the bill. The notice shall state the substance of the  
 27 contemplated law or proposal, and the bill shall contain a recital that the notice has  
 28 been given.

29 \* \* \*

1           Section 3. Be it further resolved by the Legislature of Louisiana, two-thirds  
2 of the members elected to each house concurring, that there shall be submitted to the  
3 electors of the state of Louisiana, for their approval or rejection in the manner  
4 provided by law, a proposal to amend Article XIII, Section 1(A) of the Constitution  
5 of Louisiana, to read as follows:

6       §1. Amendments

7           Section 1.(A)~~(1)~~ Procedure. An amendment to this constitution may be  
8 proposed by joint resolution at any regular session of the legislature, but the  
9 resolution shall be prefiled, at least ten days before the beginning of the session ~~or~~  
10 **as provided in Subparagraph (2) of this Paragraph**, in accordance with the rules  
11 of the house in which introduced. An amendment to this constitution may be  
12 proposed at any extraordinary session of the legislature if it is within the objects of  
13 the call of the session and is introduced in the first five calendar days thereof. If  
14 two-thirds of the elected members of each house concur in the resolution, pursuant  
15 to all of the procedures and formalities required for passage of a bill except  
16 submission to the governor, the secretary of state shall have the proposed amendment  
17 published once in the official journal of each parish within not less than thirty nor  
18 more than sixty days preceding the election at which the proposed amendment is to  
19 be submitted to the electors. Each joint resolution shall specify the statewide  
20 election at which the proposed amendment shall be submitted. Special elections for  
21 submitting proposed amendments may be authorized by law.

22           **(2) Any joint resolution proposed at a regular session of the legislature**  
23 **which effects any change in constitutional provisions relating to any retirement**  
24 **system for public employees shall be prefiled no later than five o'clock in the**  
25 **evening of the forty-fifth calendar day prior to the first day of session.**

26   \*     \*     \*

27           Section 4. Be it further resolved that this proposed amendment shall be submitted  
28 to the electors of the state of Louisiana at the statewide election to be held on November 6,  
29 2012.

1           Section 5. Be it further resolved that on the official ballot to be used at said election  
 2 there shall be printed a proposition, upon which the electors of the state shall be permitted  
 3 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
 4 follows:

5           Do you support an amendment to require legislation effecting any change to  
 6 laws concerning retirement systems for public employees to be filed no later  
 7 than forty-five days before the start of a regular legislative session and to  
 8 require the completion of public notice requirements regarding such bills no  
 9 later than sixty days before introduction of the bill? (Amends Article III,  
 10 Section 2(A)(2), Article X, Section 29(C), and Article XIII, Section 1(A))

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The original instrument was prepared by Lauren Bailey. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

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#### DIGEST

Guillory (SB 21)

Present constitution requires proposed legislation to be prefiled no later than five o'clock in the evening of the tenth calendar day prior to the first day of a regular session.

Proposed constitutional amendment retains present constitution for all proposed legislation except prefiled bills effecting a change in retirement systems for public employees. Proposed constitutional amendment requires retirement instruments that are prefiled to be prefiled no later than five o'clock in the evening of the forty-fifth calendar day prior to the first day of a regular session.

Present constitution provides that, with limited exception, after five o'clock on the tenth calendar day prior to session, no legislator may introduce more than five bills. Proposed constitutional amendment retains present constitution.

Present constitution requires public notice to be given of intent to introduce legislation effecting public retirement systems, the last date of publication of such notice to be at least 30 days prior to introduction of the bill.

Proposed constitutional amendment requires public notice to be given of intent to introduce legislation effecting public retirement systems, the last date of publication of such notice to be at least 60 days prior to introduction of the bill.

Present constitution requires any joint resolution to amend the constitution to be filed at least 10 calendar days prior to the beginning of a regular session. Proposed constitutional amendment requires all joint resolutions effecting retirement systems to be prefiled no later than the forty-fifth day prior to the first day of session.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Amends Const. Art. III, §2(A)(2), Art. XIII, §1(A) and Art. X, §29(C))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Technical amendments.