



## **Proposed Amendment No. 1: Passage protects any supplement pay amount legislators designate**

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Editor's note: The following information is provided by the Public Affairs Research Council of Louisiana as a guide to the proposed constitutional amendments on the ballot Oct. 20.

### **Supplemental pay protection**

**CURRENT SITUATION:** In 1956, the Legislature created a program that gave local police officers a state-funded, monthly supplement in addition to their local pay. Over the years, supplemental pay has been expanded to include local firefighters, constables, marshals and deputy sheriffs. Only full-time, commissioned personnel who have completed one year of service are eligible to receive supplemental pay. Law enforcement officers hired after March 31, 1986, also are required to have obtained Louisiana Peace Officer Standards and Training (POST) certification in order to receive supplemental pay. The state appropriation for supplemental pay has risen from just under \$1 million in 1956 to more than \$98 million for the 2007-2008 fiscal year, which represents a \$90 million increase in real dollars adjusted for inflation.

Prior to 2002, the supplemental pay program often was treated as a lower priority funding item. Some years the program was not fully funded and participants received reduced payments. Other years the program was marked for elimination or made contingent upon the renewal of taxes or additional revenues. The uncertainty of funding for supplemental pay drew criticism and was seen as a pressure tactic to encourage legislative renewal of expiring taxes or approval of new taxes.

In 2002, the Legislature and voters responded by constitutionally protecting a minimum payment by the state to each full-time local police officer and firefighter, constable, marshal and deputy sheriff who was eligible for the program. The amendment effectively moved the supplemental pay program to the "uncuttable" portion of the state budget.

The amount of supplemental pay that the Legislature was required to fund was defined by law as of July 1, 2001 - \$300 per month for each eligible employee.

**PROPOSED CHANGE:** This amendment would constitutionally prohibit the reduction of supplemental pay, regardless of amount, for eligible local law enforcement and fire protection officers. The amendment would require full funding be provided in order to meet the amount set by law.

With the passage of this amendment, future legislative increases in supplemental pay would be protected automatically and could not be reduced by statute except with a two-thirds vote of both chambers of the Legislature and signature of the governor.

COMMENT: Constitutionally mandating full funding of supplemental pay in 2002 made it one of the highest spending priorities in the state. During the most recent legislative session, the supplemental pay amount was increased from \$300 to \$425 per month.

Proponents assert that the new amendment is needed so the existing constitutional protection of supplemental pay will apply automatically to any dollar amount the Legislature designates in the future.

State government has little control over the growth in supplemental pay costs, as the number of eligible personnel is determined by local government employers. Critics argue that since local governments determine pay scales for the persons they employ, the responsibility should fall to local taxpayers to fund their full salaries.

Additionally, critics are concerned that reducing state budget flexibility to fund local services could jeopardize funding for state services in the future.