

First Extraordinary Session, 2005

SENATE BILL NO. 5

BY SENATORS SCHEDLER, BARHAM, BOASSO, CAIN, DARDENNE, HOLLIS, KOSTELKA, LENTINI, MALONE, MICHOT, QUINN, ROMERO AND THEUNISSEN AND REPRESENTATIVES ALEXANDER, BEARD, BOWLER, BRUNEAU, BURNS, CROWE, DOVE, DOWNS, ERDEY, GEYMANN, GREENE, HUTTER, JOHNS, KATZ, KENNARD, KLECKLEY, LABRUZZO, LAMBERT, LANCASTER, MARTINY, MCVEA, MORRISH, PITRE, T. POWELL, M. POWELL, SCALISE, SCHNEIDER, SMILEY, JANE SMITH, STRAIN, TRAHAN, TUCKER, WADDELL, WALSWORTH, WHITE AND WINSTON

LOCAL AGENCIES. Authorizes local government CEOs to reduce salaries of classes of local employees when it is determined critically necessary to respond to gubernatorially declared disasters or emergencies.

1 AN ACT

2 To enact R.S. 29:738, relative to the Louisiana Homeland Security and Emergency
3 Assistance and Disaster Act; to empower the chief executive officer of any local
4 political subdivision, city, parish, or other local public school systems, or any
5 incorporated municipality to take certain action during a time of emergency; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 29:738 is hereby enacted to read as follows:

9 **§738. Personnel actions; local political subdivisions; authority of the chief**
10 **executive officer**

11 **Notwithstanding any provision of law to the contrary whenever the**
12 **governor under the authority provided in R.S. 29:724 declares or proclaims a**
13 **disaster or emergency has occurred or is imminent which effects or will effect**
14 **the location of any local political subdivision, city, parish, or other local public**
15 **school system, or any incorporated municipality and the chief executive officer**
16 **of any such subdivision, system, or municipality determines that it is critically**
17 **necessary to the response to the disaster or emergency that the compensation**

1 **of any class of employees under his jurisdiction should be reduced in order to**
2 **preserve the resources needed to assure the safety and welfare of the citizens**
3 **within the jurisdiction, then the chief executive officer may reduce such**
4 **compensation for a period not to exceed six months from the termination of the**
5 **declaration or proclamation of disaster or emergency.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Diane M. Burkhart.

DIGEST

Proposed law authorizes CEOs of parishes, public school systems, and municipalities to reduce the salaries of employees by class when their parish, system, or municipality is located in an area declared or proclaimed by the governor to be in a state of disaster or emergency or imminently to be so. Limits such authority to not more than six months following the termination of the declaration or proclamation. Requires the CEO to determine that it is critically necessary to reduce such salaries in order to preserve the resources needed to assure the safety and welfare of the citizens within the jurisdiction of the parish, system, or municipality.

(Adds R.S. 29:738)