

2017 Regular Session

HOUSE BILL NO. 665

BY REPRESENTATIVE BARRAS

LEGISLATIVE EXPENSES: Makes appropriations for the expenses of the legislature for Fiscal Year 2017-2018

1 AN ACT

2 To appropriate funds for Fiscal Year 2017-2018 to defray the expenses of the Louisiana
3 Legislature, including the expenses of the House of Representatives and the Senate,
4 of legislative service agencies, and of the Louisiana State Law Institute; to provide
5 for the salary, expenses, and allowances of members, officers, staff, and agencies of
6 the Legislature; to provide with respect to the appropriations and allocations herein
7 made; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of Seventy-Three Million Four Hundred Thirty-One Thousand
10 Eight Hundred Twenty-Six and No/100 (\$73,431,826.00) Dollars, or so much thereof as may
11 be necessary, is hereby appropriated out of the state general fund and the sum of Twenty-
12 Two Million Three Hundred Seventy-Three Thousand Five Hundred Sixty-Seven and
13 No/100 (\$22,373,567.00) Dollars is hereby appropriated out of self-generated funds to
14 defray the expenses of the legislature, including the House of Representatives and the
15 Senate, the staffs of the House of Representatives and of the Senate, the Legislative Auditor,
16 the Legislative Fiscal Office, the Legislative Budgetary Control Council, and the Louisiana
17 State Law Institute.

18 Section 2.(A)(1) Out of the total amount herein appropriated from the state general,
19 fund, Fifty Million Seven Hundred Sixty-Two Thousand Seven Hundred Ninety-Eight and
20 No/100 (\$50,762,798.00) Dollars is hereby allocated to provide the salary and allowances
21 of members, officers, and staff of the House of Representatives, and the salary and

1 allowances for the speaker of the House of Representatives and for expenses of his office,
2 including reimbursement for actual expenses as presiding officer and for his service to or for
3 the benefit of the House of Representatives, the legislature, the legislative branch of
4 government, or the state, as determined by the speaker, and to provide the salary and
5 allowances of members, officers, and staff of the Senate, and the salary and allowances for
6 the president of the Senate and for expenses of his office, including reimbursement for actual
7 expenses as presiding officer and for his service to or for the benefit of the Senate, the
8 legislature, the legislative branch of government, or the state, as determined by the president
9 of the Senate. These funds also shall be used to pay mileage and per diem of the members
10 of the legislature and mileage and per diem expenses of committees; salaries and/or expense
11 allowances of officers and employees of the legislature; costs of renovations, maintenance,
12 repairs, and necessary additions to the House and/or Senate chambers and other legislative
13 rooms; audio-visual systems, information networks, technological enhancements, and
14 technical support; printing the bills, journals, and calendars; computer equipment and
15 services; library services; provision of accessibility services for persons with disabilities
16 during sessions of the legislature and during the interim; and for all other expenses of the
17 legislature. Notwithstanding any other provision of the law to the contrary, any and all
18 monies paid to an employee of the legislature shall be used to determine full-time status and
19 for the eligibility and calculation of all benefits, including, but not limited to, retirement and
20 insurance. This provision shall be remedial in nature and shall not eliminate or reduce any
21 current benefits of a legislative employee. In addition to the amounts and limitations
22 provided in R.S. 24:31.5, these funds shall also be used to provide an additional two hundred
23 seventy-five dollars per month to the total amount available to each legislator for the salary
24 of his legislative assistants which shall be obtained and disbursed as hereinafter provided.

25 (2) Notwithstanding the provisions of R.S. 24:31.5, any legislative assistant
26 employed on or before December 1, 2007, may retain the salary they were earning on
27 December 1, 2007.

28 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Eight
29 Million Nine Hundred Ninety-Eight Thousand Three Hundred and No/100 (\$28,998,300.00)
30 Dollars is hereby set aside and allocated for the use of the House of Representatives and

1 Twenty-One Million Seven Hundred Sixty-Four Thousand Four Hundred Ninety-Eight and
2 No/100 (\$21,764,498.00) Dollars for the use of the Senate.

3 (C) The presiding officer of each house shall warrant on the state treasurer in favor
4 of the House of Representatives or the Senate, as the case may be, for the allocation herein
5 provided, or for so much thereof as may be necessary. The aforesaid warrants shall be paid
6 out of the state general fund, and the state treasurer shall pay said warrants by preference
7 over all other warrants, except warrants for the salaries of constitutional officers of the state,
8 which shall be concurrent with the warrants provided for by this Act.

9 (D)(1) The funds drawn as provided herein shall be deposited in the name of the
10 House of Representatives or the Senate, as the case may be, in an approved bank located in
11 this state selected by the presiding officer of each house. Payment of per diem and mileage,
12 salaries of the members, officers, and employees, and other expenses of the legislature shall
13 be made by individual check, payable to the person or firm entitled thereto, signed by the
14 presiding officer of the House of Representatives as to disbursements by the House, and as
15 to disbursements by the Senate, signed by the president of the Senate. Facsimile signatures
16 may be used; such payment also may be made by electronic funds transfer through the
17 automated clearing house and deposited into the account of the person or firm entitled to
18 such payment.

19 (2) Copies of legislative documents of the Senate and the House shall be provided
20 at fees according to policy and schedules adopted by the secretary of the Senate and clerk
21 of the House, jointly, and approved by the president of the Senate and the speaker of the
22 House, jointly. Funds derived from the sale of legislative documents of the Senate and the
23 House during the 2018 Regular Session shall be used to offset the cost of printing the
24 journals and calendars.

25 (3) The legislature is hereby expressly authorized to receive and expend any monies
26 received as a result of any grants or donations or other forms of assistance as provided for
27 in Article VII, Section 9(A)(1) of the Louisiana Constitution of 1974.

28 (E) Any portion of the funds herein allocated to the two houses, any portion of the
29 funds previously appropriated or interest earnings on such appropriations and any self-
30 generated revenues that are not required for the expenses of the 2017 Regular Session of the

1 Legislature, including printing and all expenses in connection therewith, are hereby
2 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any
3 other expenses of the legislature during the 2017-2018 Fiscal Year; however, all funds
4 remaining unexpended and/or unencumbered shall be returnable to the state general fund on
5 or before October 1, 2018.

6 Section 3.(A) The sum of Ten Million Ninety-Three Thousand Eight Hundred
7 Thirty-Eight and No/100 (\$10,093,838.00) Dollars is hereby allocated out of the total
8 appropriation from the state general fund made in Section 1 of this Act to the legislative
9 auditor, to pay the expenses of his office, including the salaries and expenses of his
10 employees, the costs of equipment, and all other expenses incurred by that office in
11 connection with the operation thereof during the 2017-2018 Fiscal Year.

12 (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars
13 is hereby appropriated, payable from the state general fund, to establish an agency working
14 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds
15 available in the ancillary enterprise fund, the sum of Twenty-Two Million Three Hundred
16 Seventy-Three Thousand Five Hundred Sixty-Seven and No/100 (\$22,373,567.00) Dollars
17 is authorized to be used by the legislative auditor, in addition to the amount allocated in
18 Section 3.(A) hereof, to pay the expenses of his office, including the salaries and expenses
19 of his employees, the costs of equipment, and all other expenses incurred by that office in
20 connection with the operations thereof during the 2017-2018 Fiscal Year.

21 (2) The legislative auditor, in addition to the authority contained in R.S. 24:517.1,
22 shall be authorized to receive reimbursement of actual expenses of audits performed on
23 federally funded programs, both direct and indirect, and regulatory boards funded primarily
24 from fees and self-generated revenues and self-supported enterprise functions for the
25 purpose of generating revenue to pay expenses as provided in Section 3.(B)(1) of this Act.
26 Reimbursement for audits performed on federally funded programs shall be limited to
27 reimbursement authorized by federal laws and regulations.

28 (3) Notwithstanding any provision of the law to the contrary, including the General
29 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the
30 legislative auditor is authorized to allocate and collect from each auditee included in the

1 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by
2 independent certified public accountants, such amounts as may be reasonably necessary to
3 compensate the legislative auditor for services rendered and costs incurred in connection
4 with the audit of each auditee. In the collection of such amounts, the legislative auditor
5 shall, on or after the first day of July of each year, notify and warrant, without any other
6 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,
7 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to
8 each auditee from monies accruing or available to the auditee to the Legislative Auditor
9 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated
10 to all such auditees shall not exceed the amount appropriated to the legislative auditor from
11 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)
12 herein.

13 (C) In the conduct of such functions all receipts of self-generated revenues shall be
14 deposited in the state treasury to the credit of the Legislative Auditor Ancillary Enterprise
15 Fund and disbursements made by the state treasurer to the extent of the amounts deposited
16 to the credit of such fund in accordance with provisions of law governing expenditures. All
17 monies from self-generated revenue of the legislative auditor's office shall be paid to the
18 Legislative Auditor Ancillary Enterprise Fund and shall be deemed to be available for
19 expenditure in the amount herein appropriated, and any increase in self-generated revenue
20 over the amount herein appropriated shall be available for expenditure by the legislative
21 auditor only on approval by the co-chairmen of the Legislative Budgetary Control Council.

22 (D) The legislative auditor shall warrant on the state treasurer for the monies
23 allocated by this Section, and the warrant shall be paid by the state treasurer out of the state
24 general fund. The funds so drawn shall be disbursed only in accordance with budgeted
25 amounts provided herein and such amendments as may be approved by the Legislative
26 Budgetary Control Council.

27 (E) In addition to any portion of the funds herein allocated in this Section to the
28 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,
29 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby
30 appropriated and may be used to defray the expenses of the legislative auditor. These funds

1 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not
2 to exceed the total balance remaining at the end of the previous fiscal year; however, all
3 funds remaining unexpended and/or unencumbered shall be returnable to the state general
4 fund on or before October 1, 2018.

5 Section 4.(A) The sum of Two Million Eight Hundred Eighty-Six Thousand Six
6 Hundred Sixty-Four and No/100 (\$2,886,664.00) Dollars is hereby allocated out of the total
7 appropriation from the state general fund made in Section 1 of this Act to the Joint
8 Legislative Committee on the Budget, to be used solely for the operations of the Legislative
9 Fiscal Office and in particular to pay the expenses thereof, including the salaries and
10 expenses of its employees, the cost of equipment, and all other expenses incurred by said
11 office in connection with the operation thereof during the 2017-2018 Fiscal Year. The
12 operations and functions of the Legislative Fiscal Office shall be under the direction and
13 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant
14 services shall be approved by the Legislative Budgetary Control Council and the Joint
15 Legislative Committee on the Budget.

16 (B) The legislative fiscal officer shall warrant on the state treasurer for the allocation
17 provided by this Section, and the warrant shall be paid by the state treasurer out of the state
18 general fund. The funds so drawn shall be disbursed only in accordance with a budget
19 approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary
20 Control Council.

21 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any
22 portion of the funds previously appropriated or interest earnings on such appropriations and
23 any self-generated revenues that are not required for the expenses of the 2017 Regular
24 Session of the Legislature, including printing and all expenses in connection therewith, are
25 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during
26 the 2017-2018 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
27 shall be returnable to the state general fund on or before October 1, 2018.

28 Section 5.(A) The sum of One Million One Hundred Thirty-One Thousand Four
29 Hundred One and No/100 (\$1,131,401.00) Dollars is hereby allocated out of the total
30 appropriation from the state general fund made in Section 1 of this Act to the Louisiana State

1 Law Institute, to pay the expenses thereof, including the salaries and expenses of its
2 employees, the cost of equipment, and all other expenses incurred by said office in
3 connection with the operation thereof during the 2017-2018 Fiscal Year.

4 (B) The executive director of the Louisiana State Law Institute shall warrant on the
5 state treasurer for the allocation provided by this Section, and the warrant shall be paid by
6 the state treasurer out of the state general fund. The funds so drawn shall be disbursed only
7 in accordance with a budget approved by the Legislative Budgetary Control Council and
8 subject to the budgetary control of said council.

9 (C) Any portion of the funds herein allocated to the Louisiana State Law Institute,
10 any portion of the funds previously appropriated or interest earnings on such appropriations
11 and any self-generated revenues may be used to pay expenses of the Louisiana State Law
12 Institute during the 2017-2018 Fiscal Year; however, all funds remaining unexpended and/or
13 unencumbered shall be returnable to the state general fund on or before October 1, 2018.

14 Section 6.(A) The sum of Eight Million Five Hundred Fifty-Seven Thousand One
15 Hundred Twenty-Five and No/100 (\$8,557,125.00) Dollars is hereby allocated out of the
16 total appropriation from the state general fund made in Section 1 of this Act and the balance
17 on July 2, 2017 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular
18 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which
19 may be used to pay the expenses thereof, including salaries and expenses of certain
20 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.
21 Poynter Legislative Research Library, contracts for professional services, mileage and per
22 diem expenses of the interim activities of joint legislative committees created by statute or
23 by the presiding officers of the Senate and the House of Representatives to which no specific
24 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-
25 chairmen of the council, the cost of construction, maintenance, repair, improvements,
26 renovations, and access to the capitol building, capitol annex building, building for
27 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,
28 maintenance, and repair of furniture and equipment, audio-visual systems, information
29 networks, technological enhancements, technical support, and computer equipment and
30 services, as jointly approved by the president of the Senate and the speaker of the House of

1 Representatives, the cost of equipment, dues to legislative associations, to pay costs to
2 maintain actuarial integrity of the state retirement system affected by the inclusion of certain
3 legislative employees, and all other expenses incurred by said council in connection with the
4 operation thereof during the 2017-2018 Fiscal Year.

5 (B) The co-chairmen of the Legislative Budgetary Control Council shall jointly
6 warrant on the state treasurer for the monies appropriated and allocated by this Section, and
7 the state treasurer shall pay their warrants by preference over all other warrants, except
8 warrants for the salaries of constitutional officers of the state, which shall be concurrent with
9 warrants provided for by this Act.

10 (C) The funds drawn as provided herein shall be deposited in the name of the
11 Legislative Budgetary Control Council in an approved bank located in this state selected by
12 the presiding co-chairmen of the council. Payment of per diem and mileage, salaries of the
13 officers and employees, and other expenses of the Legislative Budgetary Control Council
14 shall be made by individual check, payable to the person or firm entitled thereto, signed by
15 the presiding co-chairmen of the council. Facsimile signatures may be used; such payment
16 also may be made by electronic funds transfer through the automated clearing house and
17 deposited into the account of the person or firm entitled to such payment.

18 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control
19 Council, any portion of the funds previously appropriated, or interest earnings on any such
20 appropriations, and self-generated revenues are hereby appropriated and may be used to pay
21 any expenses of the Legislative Budgetary Control Council during the 2017-2018 Fiscal
22 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable
23 to the state general fund on or before October 1, 2018.

24 Section 7. The appropriations, and the allocations of such appropriations, from the
25 State General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total
26 amount of Ten Million Nine Hundred Fifty-Eight Thousand Eight Hundred Seventy and
27 No/100 (\$10,958,870.00) Dollars, pursuant to a plan adopted by the Legislative Budgetary
28 Control Council.

1 Section 8. In accordance with R.S. 39:51(D), a comparative statement of the existing
 2 operating budget for FY 2015-2016 and FY 2016-2017 and the appropriation for FY 2017-
 3 2018 from the state general fund is as follows:

| 4 Entity | 5 FY 2015-2016 | 6 FY 2016-2017 | 7 FY 2017-2018 |
|------------------------------|---------------------------|---------------------------|-----------------------|
| | 8 (Act 76 of 2015) | 9 (Act 77 of 2016) | |
| 10 House of Representatives | \$28,998,300 | \$26,098,470 | \$28,998,300 |
| 11 Senate | \$21,764,498 | \$19,588,048 | \$21,764,498 |
| 12 Legislative Auditor | \$10,014,823 | \$9,013,341 | \$10,093,838 |
| 13 Legislative Fiscal Office | \$2,886,664 | \$2,597,998 | \$2,886,664 |
| 14 La. State Law Institute | \$1,131,401 | \$1,018,261 | \$1,131,401 |
| 15 Legislative Budgetary | | | |
| 16 Control Council | \$8,557,125 | \$7,701,412 | \$8,557,125 |
| 17 Total state general fund | \$73,352,811 | \$66,017,530 | \$73,431,826 |

18 The Legislative Auditor for FY 2015-2016 was appropriated self-generated funds in
 19 the amount of \$24,954,064, for FY 2016-2017 was appropriated self-generated funds in the
 20 amount of \$22,584,095, and for FY 2017-2018 is appropriated self-generated funds in the
 21 amount of \$22,373,567. The Legislative Budgetary Control Council for FY 2015-2016 was
 22 appropriated the balance of the technology fund on July 2, 2015, for FY 2016-2017 was
 23 appropriated the balance on July 2, 2016, and for FY 2017-2018 is appropriated the balance
 24 on July 2, 2017 of said fund.

25 Act 1 of the 2017 First Extraordinary Session of the Legislature of Louisiana reduced
 26 the State General Fund (Direct appropriation) for FY 2016-2017 for the legislature in the
 27 amount of \$3,544,574 and further required the legislative auditor to remit \$2,000,000 from
 28 the Legislative Auditor Ancillary Enterprise Fund to the state treasurer for deposit into the
 29 state general fund.

30 Section 9. This Act shall become effective on July 1, 2017; if vetoed by the governor
 and subsequently approved by the legislature, this Act shall become effective on July 1,
 2017, or on the day following such approval by the legislature, whichever is later. Provides
 for the expenses of the legislature and legislative service agencies. Appropriates
 \$62,472,956 from the state general fund for FY 2017-2018.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 665 Reengrossed 2017 Regular Session Barras

Provides for the expenses of the legislature and legislative service agencies. Appropriates \$62,472,956 from the state general fund for FY 2017-2018.

Funding for the legislative branch of government is provided as follows:

| | |
|---------------------------------------|--------------------------|
| House of Representatives | \$ 28,998,300 |
| Senate | \$ 21,764,498 |
| Legislative Auditor | \$ 10,093,838 |
| Legislative Fiscal Office | \$ 2,886,664 |
| Louisiana State Law Institute | \$ 1,131,401 |
| Legislative Budgetary Control Council | <u>\$ 8,557,125</u> |
| Total state general fund | <u>\$ 73,431,826</u> |

Provides that appropriations out of State General Fund (Direct) contained in this Act be reduced by a total amount of \$10,958,870 pursuant to a plan adopted by the Legislative Budgetary Control Council.

Provides for the allocation of funds for salaries and allowances of members, officers, and staff of the House and Senate. Provides the balance on July 2, 2017, of the fund created by Act 513, §13 of 2008 R.S. is appropriated to the Legislative Budgetary Control Council.

Appropriates \$350,000 from the state general fund to establish the Legislative Auditor Ancillary Enterprise Fund as an agency working capital fund; appropriates \$22,373,567 from the fund, which is authorized to be used for expenses of the auditor's office.

Retains provisions of existing law allowing legislative assistants who were employed on or before Dec. 1, 2007, to retain the salary they were earning on Dec. 1, 2007.

Effective July 1, 2017.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Add requirement that appropriations contained in this Act be reduced by a total amount of \$10,958,870 pursuant to a plan adopted by the Legislative Budgetary Control Council.

The House Floor Amendments to the engrossed bill:

1. Correct the reference to a previous Act of the legislature.