

ACT No. 169

2022 Regular Session

HOUSE BILL NO. 465

BY REPRESENTATIVE ZERINGUE

1 AN ACT

2 To provide for the establishment and reestablishment of agency ancillary funds, to be
3 specifically known as internal service funds, auxiliary accounts, or enterprise funds
4 for certain state institutions, officials, and agencies; to provide for appropriation of
5 funds for Fiscal Year 2022-2023; to provide for an effective date; and to regulate the
6 administration of said funds.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. There are hereby appropriated the amounts shown below, which shall be
9 payable out of the state general fund, to the extent of funds deposited, unless otherwise
10 specified, for the establishment and reestablishment of agency ancillary funds which shall
11 be specifically known as internal service funds, auxiliary accounts, or enterprise funds. The
12 monies in each fund shall be used for working capital in the conduct of business enterprises
13 rendering public service, auxiliary service, and interagency service.

14 In the conduct of each such business, receipts shall be deposited in the state treasury
15 and disbursements made by the state treasurer to the extent of the amount deposited to the
16 credit of each ancillary fund, for the current fiscal year. All funds appropriated herein shall
17 be expended in compliance with the public bid laws of the state.

18 Section 2.A. Except as otherwise provided by law or as herein otherwise provided,
19 any fund equity resulting from prior year operations shall be included as a resource of the
20 fund from which the ancillary fund is directly or indirectly derived.

21 B. Funds on deposit with the state treasury at the close of the fiscal year are
22 authorized to be transferred to each fund respectively, as equity for the next fiscal year.

23 All unexpended cash balances as of June 30, 2023, shall be remitted to the state

1 treasurer on or before August 14, 2023. If not reestablished in the subsequent year's Act, the
 2 agency shall liquidate all assets and return all advances no later than August 14, 2023.

3 C. The program descriptions contained in this Act are not part of the law and are not
 4 enacted into law by virtue of their inclusion into this Act.

5 Section 3. All money from federal, interagency transfers, statutory dedications, or
 6 fees and self-generated revenues shall be available for expenditure in the amounts herein
 7 appropriated.

8 Any increase in such revenues shall be available for allotment and expenditure by
 9 an agency on approval of an increase in the appropriation by the commissioner of
 10 administration and the Joint Legislative Committee on the Budget. Any increase in such
 11 revenues for an agency without an appropriation from the respective revenue source shall
 12 be incorporated into the agency's appropriation on approval of the commissioner of
 13 administration and the Joint Legislative Committee on the Budget.

14 Section 4.A. The figures in parentheses following the designation of a budget entity
 15 are the total authorized positions and authorized other charges positions for that entity. The
 16 number of employees approved for each agency, as a result of the passage of this Act, may
 17 be increased by the commissioner of administration when sufficient documentation is
 18 presented and the request is deemed valid. However, any request which exceeds five
 19 positions shall be approved by the commissioner of administration and the Joint Legislative
 20 Committee on the Budget.

21 B. The budget request of any agency with an appropriation level of thirty million
 22 dollars or more shall include within its existing table of organization positions which
 23 perform the function of internal auditing, including the position of a chief audit executive.
 24 The chief audit executive shall be responsible for ensuring that the internal audit function
 25 adheres to the Institute of Internal Auditors, International Standards for the Professional
 26 Practice of Internal Auditing. The chief audit executive shall maintain organizational
 27 independence in accordance with these standards and shall have direct and unrestricted
 28 access to the commission, board, secretary, or equivalent head of the agency. The chief
 29 audit executive shall certify to the commission, board, secretary, or equivalent head of the
 30 agency that the internal audit function conforms to the Institute of Internal Auditors,
 31 International Standards for the Professional Practice of Internal Auditing.

1 Section 5. All key and supporting performance objectives and indicators for the
2 departments, agencies, programs, and budget units contained in the Governor's Executive
3 Budget Supporting Document shall be adjusted by the commissioner of administration to
4 reflect the funds appropriated therein. The commissioner of administration shall report on
5 these adjustments to the Joint Legislative Committee on the Budget each year by August
6 fifteenth.

7 Section 6. The following definition is provided for the terms of this Act: "Working
8 capital" shall be considered the excess of current assets over current liabilities on an accrual
9 basis.

10 Section 7. Should any section, subsection, clause, sentence, phrase, or part of the Act
11 for any reason be held, deemed, or construed to be unconstitutional or invalid, such decisions
12 shall not affect the remaining provisions of the Act, and the legislature hereby declares that
13 it would have passed the Act, and each section, subsection, clause, sentence, phrase, or part
14 thereof, irrespective of the fact that one or more of the sections, subsections, clauses,
15 sentences, phrases, or parts thereof, is declared unconstitutional or invalid. To this end, the
16 provisions of this Act are hereby declared severable.

17 Section 8. Internal Service Funds. These funds account for the financing of goods
18 or services provided by one department or agency to other departments or agencies of the
19 governmental unit, or to other governmental units, on a cost-reimbursement basis. Excess
20 cash funds, excluding cash funds arising from working capital advances, shall be invested
21 by the state treasurer with the interest proceeds therefrom credited to each account and shall
22 not be transferred to the state general fund.

23 Section 9. In conjunction with the continuing assessment of the existing staff, assets,
24 contracts, and facilities of each department, agency, program, or budget unit's information
25 technology resources and procurement resources, upon completion of this assessment and
26 to the extent optimization of these resources will result in the projected cost savings through
27 staff reductions, realization of operational efficiencies, cost avoidance, and elimination of
28 asset duplication, the commissioner of administration is authorized to transfer the functions,
29 positions, assets, and funds from any other department, agency, program, or budget units
30 related to these optimizations to a different department. The provisions of this Section shall
31 not apply to the Department of Culture, Recreation and Tourism, or any agency contained
32 in Schedule 04, Elected Officials, of the General Appropriation Act.

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SCHEDULE 21

ANCILLARY APPROPRIATIONS

21-800 OFFICE OF GROUP BENEFITS

EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
State Group Benefits -		
Authorized Positions	(42)	(56)
Expenditures	<u>\$ 1,809,133,191</u>	<u>\$ 1,809,705,404</u>

Program Description: *Provides for the administration of group health and accidental insurance and group life insurance for current and former state employees and other participating groups.*

TOTAL EXPENDITURES	<u>\$1,809,133,191</u>	<u>\$1,809,705,404</u>
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 598,733	\$ 598,733
Fees & Self-generated Revenues	<u>\$ 1,808,534,458</u>	<u>\$ 1,809,106,671</u>

TOTAL MEANS OF FINANCING	<u>\$ 1,809,133,191</u>	<u>\$ 1,809,705,404</u>
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21-804 OFFICE OF RISK MANAGEMENT

EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
Risk Management -		
Authorized Positions	(41)	(41)
Expenditures	<u>\$ 358,342,481</u>	<u>\$ 324,218,483</u>

Program Description: *Provides for the overall executive leadership and management of the office, support services, policy analysis, management direction of the state's self-insurance program; provides funding for the payment of losses on medical, malpractice, property, comprehensive general liability, personal injury, automobile liability, automobile physical damage, bonds, crime, aviation, wet marine boiler and machinery and miscellaneous tort claims; provides funding for the payment of contracts issued for professional legal defense of claims made against the state; provides funding for the reimbursement of the Division of Risk Litigation in the Office of the Attorney General for costs incurred for professional legal defense of claims made against the state.*

TOTAL EXPENDITURES	<u>\$ 358,342,481</u>	<u>\$ 324,218,483</u>
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MEANS OF FINANCE:		
State General Fund by:		
Interagency Transfers	\$ 265,682,662	\$ 275,551,395
Fees & Self-generated Revenues	\$ 90,659,819	\$ 46,667,088
Statutory Dedications:		
Future Medical Care Fund	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

TOTAL MEANS OF FINANCING	<u>\$ 358,342,481</u>	<u>\$ 324,218,483</u>
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21-806 LOUISIANA PROPERTY ASSISTANCE

EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
Louisiana Property Assistance -		
Authorized Positions	(37)	(37)
Expenditures	<u>\$ 7,747,236</u>	<u>\$ 8,692,368</u>

Program Description: *Provides for the accountability of the state's movable property through the development and implementation of sound management practices.*

TOTAL EXPENDITURES	<u>\$ 7,747,236</u>	<u>\$ 8,692,368</u>
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1	MEANS OF FINANCE:		
2	State General Fund by:		
3	Interagency Transfers	\$ 1,615,846	\$ 1,615,846
4	Fees & Self-generated Revenues	<u>\$ 6,131,390</u>	<u>\$ 7,076,522</u>
5	TOTAL MEANS OF FINANCING	<u>\$ 7,747,236</u>	<u>\$ 8,692,368</u>

6 **21-807 LOUISIANA FEDERAL PROPERTY ASSISTANCE AGENCY**

7	EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
8	Federal Property Assistance -		
9	Authorized Positions	(9)	(9)
10	Expenditures	<u>\$ 3,415,050</u>	<u>\$ 3,441,308</u>

11 **Program Description:** *Seeks to assure the fair and equitable distribution of federal*
 12 *property allocated to Louisiana by the General Services Administration to eligible Louisiana*
 13 *donees.*

14	TOTAL EXPENDITURES	<u>\$ 3,415,050</u>	<u>\$ 3,441,308</u>
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15	MEANS OF FINANCE:		
16	State General Fund by:		
17	Interagency Transfers	\$ 484,342	\$ 1,084,342
18	Fees & Self-generated Revenues	<u>\$ 2,930,708</u>	<u>\$ 2,356,966</u>
19	TOTAL MEANS OF FINANCING	<u>\$ 3,415,050</u>	<u>\$ 3,441,308</u>

20 **21-811 PRISON ENTERPRISES**

21	EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
22	Prison Enterprises -		
23	Authorized Positions	(72)	(72)
24	Expenditures	<u>\$ 33,763,220</u>	<u>\$ 34,484,007</u>

25 **Program Description:** *Utilizes the resources of the Department of Public Safety and*
 26 *Corrections in the production of food, fiber, and other necessary items used by offenders in*
 27 *order to lower the cost of incarceration; provides products and services to state agencies*
 28 *and agencies of parishes, municipalities, and other political subdivisions; and provides work*
 29 *opportunities for offenders. Prison Enterprises conducts both industry operations and*
 30 *agriculture operations.*

31	TOTAL EXPENDITURES	<u>\$ 33,763,220</u>	<u>\$ 34,484,007</u>
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32	MEANS OF FINANCE:		
33	State General Fund by:		
34	Interagency Transfers	\$ 24,933,479	\$ 25,447,628
35	Fees & Self-generated Revenues	<u>\$ 8,829,741</u>	<u>\$ 9,036,379</u>
36	TOTAL MEANS OF FINANCING	<u>\$ 33,763,220</u>	<u>\$ 34,484,007</u>

37 **21-815 OFFICE OF TECHNOLOGY SERVICES**

38	EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
39	Technology Services -		
40	Authorized Positions	(828)	(828)
41	Authorized Other Charges Positions	(9)	(9)
42	Expenditures	<u>\$ 525,667,324</u>	<u>\$ 670,082,509</u>

43 **Program Description:** *The mission of the Office of Technology Services (OTS) is to*
 44 *establish competitive, cost-effective technology systems and services while acting as the sole*
 45 *centralized customer for the acquisition, billing and record keeping of those technology*

1 *services. OTS shall charge respective user agencies for the cost of the technology and*
 2 *services provided including the cost of the operation of the office in a fair, equitable, and*
 3 *consistent manner, in full compliance with State of Louisiana statutes.*

4 TOTAL EXPENDITURES \$ 525,667,324 \$ 670,082,509

5 MEANS OF FINANCE:

6 State General Fund by:

7 Interagency Transfers \$ 524,148,851 \$ 668,564,036

8 The allocations listed below are provided for informational purposes only and shall not be
 9 construed to limit the expenditures or means of financing of the Office of Technology
 10 Services.

11	Executive Department		\$ 50,528,314
12	Department of Transportation and Development		\$ 32,108,983
13	Department of Public Safety and Corrections- Corrections Services		\$ 11,477,406
14	Department of Public Safety and Corrections- Public Safety Services		\$ 53,964,933
15	Department of Public Safety and Corrections- Youth Services		\$ 9,237,870
16	Louisiana Department of Health		\$ 263,663,085
17	Department of Children and Family Services		\$ 94,155,277
18	Department of Revenue		\$ 29,770,915
19	Louisiana Workforce Commission		\$ 27,830,125
20	Department of Education		\$ 34,973,882
21	Remaining State Agencies		\$ 60,853,246
22	Total Interagency Transfers		<u>\$ 668,564,036</u>
23	Fees & Self-generated Revenues	\$ 1,518,473	<u>\$ 1,518,473</u>
24	Production Support Services to local and other		
25	governmental entities		\$ 255,878
26	Telecommunications Services to local and other		
27	governmental entities		\$ 403,408
28	IT Support Services to local and other		
29	governmental entities		\$ 859,187
30	Total Fees & Self-generated Revenues		<u>\$ 1,518,473</u>

31 TOTAL MEANS OF FINANCING \$ 525,667,324 \$ 670,082,509

32 BY EXPENDITURE CATEGORY:

33	Personal Services		\$ 101,336,565
34	Operating Expenses		\$ 204,966,990
35	Professional Services		\$ 302,124,033
36	Other Charges		\$ 52,083,104
37	Acquisitions and Major Repairs		<u>\$ 9,571,817</u>

38 TOTAL BY EXPENDITURE CATEGORY \$ 670,082,509

39 Payable out of State General Fund
 40 by Interagency Transfers from the
 41 Department of Education to the
 42 Technology Services Program for the
 43 purchase of IT equipment and software
 44 as authorized through Emergency
 45 Assistance for Non-Public Schools \$ 24,000,000

46 **21-816 DIVISION OF ADMINISTRATIVE LAW**

47	EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
48	Administration -		
49	Authorized Positions	(58)	(58)
50	Expenditures	<u>\$ 8,643,902</u>	<u>\$ 9,829,286</u>

1 **Program Description:** *Provides a neutral forum for handling administrative hearings for*
 2 *certain state agencies, with respect for the dignity of individuals and their due process*
 3 *rights.*

4	TOTAL EXPENDITURES	\$ 8,643,902	\$ 9,829,286
5	MEANS OF FINANCE:		
6	State General Fund by:		
7	Interagency Transfers	\$ 8,615,005	\$ 9,800,389
8	Fees & Self-generated Revenues	\$ 28,897	\$ 28,897
9	TOTAL MEANS OF FINANCING	\$ 8,643,902	\$ 9,829,286

10 **21-820 OFFICE OF STATE PROCUREMENT**

11	EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
12	Office of State Procurement -		
13	Authorized Positions	(99)	(99)
14	Expenditures	\$ 12,255,821	\$ 12,873,418

15 **Program Description:** *The mission of the Office of State Procurement is to provide cost-*
 16 *effective services that satisfy the needs of approved governmental units of the State of*
 17 *Louisiana through the management of products and services.*

18	TOTAL EXPENDITURES	\$ 12,255,821	\$ 12,873,418
19	MEANS OF FINANCE:		
20	State General Fund by:		
21	Interagency Transfers	\$ 5,675,334	\$ 4,920,576
22	Fees & Self-generated Revenues	\$ 6,580,487	\$ 7,952,842
23	TOTAL MEANS OF FINANCING	\$ 12,255,821	\$ 12,873,418

24 **21-829 OFFICE OF AIRCRAFT SERVICES**

25	EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
26	Flight Maintenance -		
27	Authorized Positions	(3)	(4)
28	Expenditures	\$ 2,303,789	\$ 2,324,065

29 **Program Description:** *The mission of the Office of Aircraft Services is to manage the*
 30 *overall maintenance and provide all needed and required support for safe, proper, and*
 31 *economic operation of the State's various aircraft. Flight Maintenance Operations ensures*
 32 *flight safety, maintains high safety standards while minimizing aircraft downtime for repairs,*
 33 *and provides high quality, efficient, and economical repair and fueling services for state-*
 34 *operated aircraft.*

35	TOTAL EXPENDITURES	\$ 2,303,789	\$ 2,324,065
36	MEANS OF FINANCE:		
37	State General Fund by:		
38	Interagency Transfers	\$ 2,124,574	\$ 2,144,850
39	Fees & Self-generated Revenues	\$ 179,215	\$ 179,215
40	TOTAL MEANS OF FINANCING	\$ 2,303,789	\$ 2,324,065

41 **21-860 ENVIRONMENTAL STATE REVOLVING LOAN FUNDS**

42	EXPENDITURES:	<u>FY 22 EOB</u>	<u>FY 23 REC</u>
43	Environmental State Revolving Loan Funds	\$ 125,350,000	\$ 125,350,000

1 **Program Description:** *Helps individual citizens and local governments participate in*
 2 *environmental programs by assisting municipalities to finance and construct wastewater*
 3 *treatment works. The Clean Water State Revolving Fund is used by the Department of*
 4 *Environmental Quality to assist recipients of Environmental Protection Agency and*
 5 *construction grants in providing project inspection, construction management, and overall*
 6 *program management services, required for the completion of the Environmental Protection*
 7 *Agency program, as outlined in the management grant. Regional meetings are held in the*
 8 *state’s eight planning districts with one-on-one follow-up meetings to make municipalities*
 9 *more aware of the program’s benefits and requirements. The Brownfields Cleanup*
 10 *Revolving Loan Fund strives to uphold Comprehensive Environmental Response,*
 11 *Compensation, and Liability Act (CERCLA) Section 104(k) to protect the health and welfare*
 12 *of the citizens of the state, as well as to enhance the environment of the state by*
 13 *administering the Brownfields Cleanup Revolving Loan Fund.*

14 TOTAL EXPENDITURES \$ 125,350,000 \$ 125,350,000

15 MEANS OF FINANCE:

16 State General Fund by:

17 Statutory Dedications:

18 Clean Water State Revolving Fund \$ 125,000,000 \$ 125,000,000

19 Brownfields Cleanup Revolving
 20 Loan Fund \$ 350,000 \$ 350,000

21 TOTAL MEANS OF FINANCING \$ 125,350,000 \$ 125,350,000

22 Payable out of the State General Fund by
 23 Statutory Dedications out of the Matching Funds
 24 Fund to the Environmental State Revolving Loan
 25 Funds Program to use as state match for the
 26 Clean Water State Revolving Fund allocations found
 27 in the federal Infrastructure Investment and Jobs Act,
 28 in the event that House Bill No. 406 of the 2022
 29 Regular Session of the Legislature is enacted into law \$ 4,256,600

30 Payable out of Federal Funds
 31 to the Environmental State
 32 Revolving Loan Funds Program
 33 for municipalities to improve storm
 34 water management to address sewer
 35 overflows and reduce pollution \$ 1,169,000

36 **21-861 DRINKING WATER REVOLVING LOAN FUND**

37 EXPENDITURES: **FY 22 EOB** **FY 23 REC**
 38 Drinking Water Revolving Loan Fund \$ 47,988,458 \$ 47,988,458

39 **Program Description:** *Assist public water systems in financing needed drinking water*
 40 *infrastructure improvements (e.g. treatment plant, distribution main replacement, storage*
 41 *facilities, new wells). The Drinking Water Revolving Loan Fund provides assistance in the*
 42 *form of low-interest loans and technical assistance to public water systems in Louisiana to*
 43 *assist them with complying with state and federal drinking water regulations, ensuring that*
 44 *their customers are provided with safe drinking water thereby protecting the public health.*

45 TOTAL EXPENDITURES \$ 47,988,458 \$ 47,988,458

46 MEANS OF FINANCE:

47 State General Fund by:

48 Statutory Dedication:

49 Drinking Water Revolving Loan Fund \$ 47,988,458 \$ 47,988,458

50 TOTAL MEANS OF FINANCING \$ 47,988,458 \$ 47,988,458

1	Payable out of the State General Fund by Statutory	
2	Dedications out of the Matching Funds Fund to the	
3	Drinking Water Revolving Loan Fund Program to	
4	use as state match for the Drinking Water Revolving	
5	Loan Fund allocations found in the federal	
6	Infrastructure Investment and Jobs Act, in the event	
7	that House Bill No. 406 of the 2022 Regular Session	
8	of the Legislature is enacted into law	\$ 2,693,000

9 Section 10. This Act shall become effective on July 1, 2022.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____