

2016 Regular Session

HOUSE BILL NO. 1049

BY REPRESENTATIVE BARRAS

LEGISLATIVE EXPENSES: Makes appropriations for the expenses of the legislature for  
FY 2016-2017

1 AN ACT

2 To appropriate funds for Fiscal Year 2016-2017 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 Sixty-Three Million Five Hundred Twenty-Two Thousand  
10 One Hundred Twenty-Four and No/100 (\$63,522,124.00) 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 Five Hundred Eighty-Four Thousand Ninety-Five and No/100  
13 (\$22,584,095.00) Dollars is hereby appropriated out of self-generated funds to defray the  
14 expenses of the legislature, including the House of Representatives and the Senate, the staffs  
15 of the House of Representatives and of the Senate, the Legislative Auditor, the Legislative  
16 Fiscal Office, the Legislative Budgetary Control Council, and the Louisiana State Law  
17 Institute.

18 Section 2.(A)(1) Out of the total amount herein appropriated from the state general  
19 fund, Forty-Five Million Six Hundred Eighty-Six Thousand Five Hundred Eighteen and  
20 No/100 (\$45,686,518.00) Dollars is hereby allocated to provide the salary and allowances

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

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

1 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Six  
2 Million Ninety-Eight Thousand Four Hundred Seventy and No/100 (\$26,098,470.00) Dollars  
3 is hereby set aside and allocated for the use of the House of Representatives and Nineteen  
4 Million Five Hundred Eighty-Eight Thousand Forty-Eight and No/100 (\$19,588,048.00)  
5 Dollars for the use of the Senate.

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

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

22 (2) Copies of legislative documents of the Senate and the House shall be provided  
23 at fees according to policy and schedules adopted by the secretary of the Senate and clerk  
24 of the House, jointly, and approved by the president of the Senate and the speaker of the  
25 House, jointly. Funds derived from the sale of legislative documents of the Senate and the  
26 House during the 2017 Regular Session shall be used to offset the cost of printing the  
27 journals and calendars.

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

4           (E) Any portion of the funds herein allocated to the two houses, any portion of the  
5 funds previously appropriated or interest earnings on such appropriations and any self-  
6 generated revenues that are not required for the expenses of the 2016 Regular Session of the  
7 Legislature, including printing and all expenses in connection therewith, are hereby  
8 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any  
9 other expenses of the legislature during the 2016-2017 Fiscal Year; however, all funds  
10 remaining unexpended and/or unencumbered shall be returnable to the state general fund on  
11 or before October 1, 2017.

12           Section 3.(A) The sum of Six Million Five Hundred Seventeen Thousand Nine  
13 Hundred Thirty-Five and No/100 (\$6,517,935.00) Dollars is hereby allocated out of the total  
14 appropriation from the state general fund made in Section 1 of this Act to the legislative  
15 auditor, to pay the expenses of his office, including the salaries and expenses of his  
16 employees, the costs of equipment, and all other expenses incurred by that office in  
17 connection with the operation thereof during the 2016-2017 Fiscal Year.

18           (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars  
19 is hereby appropriated, payable from the state general fund, to establish an agency working  
20 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds  
21 available in the ancillary enterprise fund, the sum of Twenty-Two Million Five Hundred  
22 Eighty-Four Thousand Ninety-Five and No/100 (\$22,584,095.00) Dollars is authorized to  
23 be used by the legislative auditor, in addition to the amount allocated in Section 3.(A) hereof,  
24 to pay the expenses of his office, including the salaries and expenses of his employees, the  
25 costs of equipment, and all other expenses incurred by that office in connection with the  
26 operations thereof during the 2016-2017 Fiscal Year.

27           (2) The legislative auditor, in addition to the authority contained in R.S. 24:517.1,  
28 shall be authorized to receive reimbursement of actual expenses of audits performed on  
29 federally funded programs, both direct and indirect, and regulatory boards funded primarily

1 from fees and self-generated revenues and self-supported enterprise functions for the  
2 purpose of generating revenue to pay expenses as provided in Section 3.(B)(1) of this Act.  
3 Reimbursement for audits performed on federally funded programs shall be limited to  
4 reimbursement authorized by federal laws and regulations.

5 (3) Notwithstanding any provision of the law to the contrary, including the General  
6 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the  
7 legislative auditor is authorized to allocate and collect from each auditee included in the  
8 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by  
9 independent certified public accountants, such amounts as may be reasonably necessary to  
10 compensate the legislative auditor for services rendered and costs incurred in connection  
11 with the audit of each auditee. In the collection of such amounts, the legislative auditor  
12 shall, on or after the first day of July of each year, notify and warrant, without any other  
13 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,  
14 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to  
15 each auditee from monies accruing or available to the auditee to the Legislative Auditor  
16 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated  
17 to all such auditees shall not exceed the amount appropriated to the legislative auditor from  
18 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)  
19 herein.

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

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

6 (E) In addition to any portion of the funds herein allocated in this Section to the  
7 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,  
8 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby  
9 appropriated and may be used to defray the expenses of the legislative auditor. These funds  
10 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not  
11 to exceed the total balance remaining at the end of the previous fiscal year; however, all  
12 funds remaining unexpended and/or unencumbered shall be returnable to the state general  
13 fund on or before October 1, 2017.

14 Section 4.(A) The sum of Two Million Five Hundred Ninety-Seven Thousand Nine  
15 Hundred Ninety-Eight and No/100 (\$2,597,998.00) Dollars is hereby allocated out of the  
16 total appropriation from the state general fund made in Section 1 of this Act to the Joint  
17 Legislative Committee on the Budget, to be used solely for the operations of the Legislative  
18 Fiscal Office and in particular to pay the expenses thereof, including the salaries and  
19 expenses of its employees, the cost of equipment, and all other expenses incurred by said  
20 office in connection with the operation thereof during the 2016-2017 Fiscal Year. The  
21 operations and functions of the Legislative Fiscal Office shall be under the direction and  
22 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant  
23 services shall be approved by the Legislative Budgetary Control Council and the Joint  
24 Legislative Committee on the Budget.

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

1 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any  
2 portion of the funds previously appropriated or interest earnings on such appropriations and  
3 any self-generated revenues that are not required for the expenses of the 2016 Regular  
4 Session of the Legislature, including printing and all expenses in connection therewith, are  
5 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during  
6 the 2016-2017 Fiscal Year; however, all funds remaining unexpended and/or unencumbered  
7 shall be returnable to the state general fund on or before October 1, 2017.

8 Section 5.(A) The sum of One Million Eighteen Thousand Two Hundred Sixty-One  
9 and No/100 (\$1,018,261.00) Dollars is hereby allocated out of the total appropriation from  
10 the state general fund made in Section 1 of this Act to the Louisiana State Law Institute, to  
11 pay the expenses thereof, including the salaries and expenses of its employees, the cost of  
12 equipment, and all other expenses incurred by said office in connection with the operation  
13 thereof during the 2016-2017 Fiscal Year.

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

19 (C) Any portion of the funds herein allocated to the Louisiana State Law Institute,  
20 any portion of the funds previously appropriated or interest earnings on such appropriations  
21 and any self-generated revenues may be used to pay expenses of the Louisiana State Law  
22 Institute during the 2016-2017 Fiscal Year; however, all funds remaining unexpended and/or  
23 unencumbered shall be returnable to the state general fund on or before October 1, 2017.

24 Section 6.(A) The sum of Seven Million Seven Hundred One Thousand Four  
25 Hundred Twelve and No/100 (\$7,701,412.00) Dollars is hereby allocated out of the total  
26 appropriation from the state general fund made in Section 1 of this Act and the balance on  
27 July 2, 2016 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular  
28 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which  
29 may be used to pay the expenses thereof, including salaries and expenses of certain

1 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.  
2 Poynter Legislative Research Library, contracts for professional services, mileage and per  
3 diem expenses of the interim activities of joint legislative committees created by statute or  
4 by the presiding officers of the Senate and the House of Representatives to which no specific  
5 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-  
6 chairmen of the council, the cost of construction, maintenance, repair, improvements,  
7 renovations, and access to the capitol building, capitol annex building, building for  
8 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,  
9 maintenance, and repair of furniture and equipment, audio-visual systems, information  
10 networks, technological enhancements, technical support, and computer equipment and  
11 services, as jointly approved by the president of the Senate and the speaker of the House of  
12 Representatives, the cost of equipment, dues to legislative associations, to pay costs to  
13 maintain actuarial integrity of the state retirement system affected by the inclusion of certain  
14 legislative employees, and all other expenses incurred by said council in connection with the  
15 operation thereof during the 2016-2017 Fiscal Year.

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

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

1 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control  
2 Council, any portion of the funds previously appropriated, or interest earnings on any such  
3 appropriations, and self-generated revenues are hereby appropriated and may be used to pay  
4 any expenses of the Legislative Budgetary Control Council during the 2016-2017 Fiscal  
5 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable  
6 to the state general fund on or before October 1, 2017.

7 Section 7. In accordance with R.S. 39:51(D), a comparative statement of the existing  
8 operating budget for the 2015-2016 fiscal year and the appropriation for 2016-2017 fiscal  
9 year from the state general fund is as follows:

10	<b>Entity</b>	<b>FY 2015-2016</b>	<b>FY 2016-2017</b>
11	House of Representatives	\$ 28,998,300	\$ 26,098,470
12	Senate	\$ 21,764,498	\$ 19,588,048
13	Legislative Auditor	\$ 10,014,823	\$ 6,517,935
14	Legislative Fiscal Office	\$ 2,886,664	\$ 2,597,998
15	Louisiana State Law Institute	\$ 1,131,401	\$ 1,018,261
16	Legislative Budgetary Control		
17	Council	\$ 8,557,125	\$ 7,701,412
18	Total state general fund	\$ 73,352,811	\$ 63,522,124

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

24 Section 8. This Act shall become effective on July 1, 2016; if vetoed by the governor  
25 and subsequently approved by the legislature, this Act shall become effective on July 1,  
26 2016, or on the day following such approval by the legislature, whichever is later.

## 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 1049 Engrossed

2016 Regular Session

Barras

Provides for the expenses of the legislature and legislative service agencies. Appropriates \$63,522,124 from the state general fund for FY 2016-2017 including the following:

House of Representatives	\$	26,098,470
Senate	\$	19,588,048
Legislative Auditor	\$	6,517,935
Legislative Fiscal Office	\$	2,597,998
Louisiana State Law Institute	\$	1,018,261
Legislative Budgetary Control Council	\$	<u>7,701,412</u>
Total state general fund	\$	<u>63,522,124</u>

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, 2016 of the fund created by Act 513, §13 of 2008 RS 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 \$22,584,095 from the fund, which is authorized to be used for expenses of the auditor's office.

Retains provisions of present 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, 2016.

Summary of Amendments Adopted by House

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

1. Reduce \$9,830,687 in state general fund from the appropriation to the legislature and legislative service agencies.