

**ACT No. 77**

2016 Regular Session

HOUSE BILL NO. 1049

BY REPRESENTATIVE BARRAS

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-Six Million Seventeen Thousand Five Hundred Thirty  
10 and No/100 (\$66,017,530.00) Dollars, or so much thereof as may be necessary, is hereby  
11 appropriated out of the state general fund and the sum of Twenty-Two Million Five Hundred  
12 Eighty-Four Thousand Ninety-Five and No/100 (\$22,584,095.00) Dollars is hereby  
13 appropriated out of self-generated funds to defray the expenses of the legislature, including  
14 the House of Representatives and the Senate, the staffs of the House of Representatives and  
15 of the Senate, the Legislative Auditor, the Legislative Fiscal Office, the Legislative  
16 Budgetary Control Council, and the Louisiana State Law Institute.

17 Section 2.(A)(1) Out of the total amount herein appropriated from the state general  
18 fund, Forty-Five Million Six Hundred Eighty-Six Thousand Five Hundred Eighteen and  
19 No/100 (\$45,686,518.00) Dollars is hereby allocated to provide the salary and allowances  
20 of members, officers, and staff of the House of Representatives, and the salary and  
21 allowances for the speaker of the House of Representatives and for expenses of his office,  
22 including reimbursement for actual expenses as presiding officer and for his service to or for  
23 the benefit of the House of Representatives, the legislature, the legislative branch of

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

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

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

30 (C) The presiding officer of each house shall warrant on the state treasurer in favor  
31 of the House of Representatives or the Senate, as the case may be, for the allocation herein

1 provided, or for so much thereof as may be necessary. The aforesaid warrants shall be paid  
2 out of the state general fund, and the state treasurer shall pay said warrants by preference  
3 over all other warrants, except warrants for the salaries of constitutional officers of the state,  
4 which shall be concurrent with the warrants provided for by this Act.

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

15 (2) Copies of legislative documents of the Senate and the House shall be provided  
16 at fees according to policy and schedules adopted by the secretary of the Senate and clerk  
17 of the House, jointly, and approved by the president of the Senate and the speaker of the  
18 House, jointly. Funds derived from the sale of legislative documents of the Senate and the  
19 House during the 2017 Regular Session shall be used to offset the cost of printing the  
20 journals and calendars.

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

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

1           Section 3.(A) The sum of Nine Million Thirteen Thousand Three Hundred Forty-  
2           One and No/100 (\$9,013,341.00) Dollars is hereby allocated out of the total appropriation  
3           from the state general fund made in Section 1 of this Act to the legislative auditor, to pay the  
4           expenses of his office, including the salaries and expenses of his employees, the costs of  
5           equipment, and all other expenses incurred by that office in connection with the operation  
6           thereof during the 2016-2017 Fiscal Year.

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

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

23          (3) Notwithstanding any provision of the law to the contrary, including the General  
24          Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the  
25          legislative auditor is authorized to allocate and collect from each auditee included in the  
26          state's Comprehensive Annual Financial Report, exclusive of those auditees audited by  
27          independent certified public accountants, such amounts as may be reasonably necessary to  
28          compensate the legislative auditor for services rendered and costs incurred in connection  
29          with the audit of each auditee. In the collection of such amounts, the legislative auditor  
30          shall, on or after the first day of July of each year, notify and warrant, without any other  
31          approval, the state treasurer of the amount allocated to each auditee. The state treasurer,

1 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to  
2 each auditee from monies accruing or available to the auditee to the Legislative Auditor  
3 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated  
4 to all such auditees shall not exceed the amount appropriated to the legislative auditor from  
5 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)  
6 herein.

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

16 (D) The legislative auditor shall warrant on the state treasurer for the monies  
17 allocated 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 budgeted  
19 amounts provided herein and such amendments as may be approved by the Legislative  
20 Budgetary Control Council.

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

29 Section 4.(A) The sum of Two Million Five Hundred Ninety-Seven Thousand Nine  
30 Hundred Ninety-Eight and No/100 (\$2,597,998.00) Dollars is hereby allocated out of the  
31 total appropriation from the state general fund made in Section 1 of this Act to the Joint

1 Legislative Committee on the Budget, to be used solely for the operations of the Legislative  
2 Fiscal Office and in particular to pay the expenses thereof, including the salaries and  
3 expenses of its employees, the cost of equipment, and all other expenses incurred by said  
4 office in connection with the operation thereof during the 2016-2017 Fiscal Year. The  
5 operations and functions of the Legislative Fiscal Office shall be under the direction and  
6 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant  
7 services shall be approved by the Legislative Budgetary Control Council and the Joint  
8 Legislative Committee on the Budget.

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

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

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

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

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

6 Section 6.(A) The sum of Seven Million Seven Hundred One Thousand Four  
7 Hundred Twelve and No/100 (\$7,701,412.00) Dollars is hereby allocated out of the total  
8 appropriation from the state general fund made in Section 1 of this Act and the balance on  
9 July 2, 2016 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular  
10 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which  
11 may be used to pay the expenses thereof, including salaries and expenses of certain  
12 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.  
13 Poynter Legislative Research Library, contracts for professional services, mileage and per  
14 diem expenses of the interim activities of joint legislative committees created by statute or  
15 by the presiding officers of the Senate and the House of Representatives to which no specific  
16 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-  
17 chairmen of the council, the cost of construction, maintenance, repair, improvements,  
18 renovations, and access to the capitol building, capitol annex building, building for  
19 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,  
20 maintenance, and repair of furniture and equipment, audio-visual systems, information  
21 networks, technological enhancements, technical support, and computer equipment and  
22 services, as jointly approved by the president of the Senate and the speaker of the House of  
23 Representatives, the cost of equipment, dues to legislative associations, to pay costs to  
24 maintain actuarial integrity of the state retirement system affected by the inclusion of certain  
25 legislative employees, and all other expenses incurred by said council in connection with the  
26 operation thereof during the 2016-2017 Fiscal Year.

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

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

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

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

18 Entity	FY 2015-2016	FY 2016-2017
19 House of Representatives	\$ 28,998,300	\$ 26,098,470
20 Senate	\$ 21,764,498	\$ 19,588,048
21 Legislative Auditor	\$ 10,014,823	\$ 9,013,341
22 Legislative Fiscal Office	\$ 2,886,664	\$ 2,597,998
23 Louisiana State Law Institute	\$ 1,131,401	\$ 1,018,261
24 Legislative Budgetary Control		
25 Council	\$ 8,557,125	\$ 7,701,412
26 Total state general fund	\$ 73,352,811	\$ 63,522,124

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

1           Section 8. This Act shall become effective on July 1, 2016; if vetoed by the governor  
2           and subsequently approved by the legislature, this Act shall become effective on July 1,  
3           2016, or on the day following such approval by the legislature, whichever is later.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_