

2018 Regular Session

HOUSE BILL NO. 129

BY REPRESENTATIVE REYNOLDS

WILDLIFE & FISHERIES: Exempts certain Department of Wildlife and Fisheries projects from the capital outlay process

1 AN ACT

2 To enact R.S. 39:128(E), relative to the capital outlay process; to provide for the exemption  
3 of certain projects from the capital outlay process; to provide for the exemption of  
4 certain projects from certain professional service contract requirements; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:128(E) is hereby enacted to read as follows:

8 §128. Exemptions

9 \* \* \*

10 E.(1) Minor repairs, renovation, or construction of buildings or other  
11 facilities or the purchase of land, buildings, or other facilities when the construction  
12 cost or purchase price is less than or equal to five hundred thousand dollars, adjusted  
13 annually in accordance with the United States Bureau of Labor Statistic's consumer  
14 price index for all urban consumers as published in January of each year, may be  
15 undertaken by land owned or managed by the Department of Wildlife and Fisheries  
16 without being included in the capital outlay budget, but shall be subject to the  
17 approval of the commissioner of administration. The Department of Wildlife and  
18 Fisheries shall not incur debt to fund any project that is not included in the capital  
19 outlay budget.

1           (2) Notwithstanding any other provision of law to the contrary, the  
 2           provisions of Part VII of Chapter 10 of Title 38 shall not apply to professional  
 3           service contracts related to minor repairs or construction of buildings or other  
 4           facilities to be undertaken by or on land owned or managed by the Department of  
 5           Wildlife and Fisheries if the estimated construction cost is five hundred thousand  
 6           dollars or less.

7           (3) For the purpose of this Section, "construction cost" shall not be construed  
 8           to include design fees or movable equipment.

### 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 129 Original

2018 Regular Session

Reynolds

**Abstract:** Exempts certain projects on land owned or managed by the Dept. of Wildlife and Fisheries from the capital outlay process.

Present law provides for the authority and procedures for state construction projects, also known as capital outlay.

Present law provides for certain exemptions from the capital outlay process, including the following:

- (1) Facilities that house the legislature or an agency within the legislative branch.
- (2) Repairs, renovation, or construction less than or equal to \$1 million on the campus of a state college, university, or higher education facility, subject to approval by the Board of Regents and the appropriate management board. Further exempts such projects that are \$500,000 or less from requirements related to professional service contracts in Public Bid Law.
- (3) Repairs, renovation, or construction by any agency, except on the campus of a state college, university, or higher education facility, when the expenditures for a project for a fiscal year do not exceed \$150,000 cumulatively per agency and the expenditures are approved by the commissioner of administration and the Joint Legislative Committee on the Budget.
- (4) Construction of buildings by the Dept. of Public Safety and Corrections, division of prison enterprises, with a cost of \$500,000 or less, constructed with inmate labor and private sector labor, on the grounds of a correctional facility that will house revenue-generating inmate labor and funded with self-generated revenues. Requires prior approval of the projects by the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means.

Proposed law further exempts repairs, renovation, or construction less than or equal to \$500,000 on land owned or managed by the Dept. of Wildlife and Fisheries, subject to

approval by the commissioner of administration. Further exempts such projects from requirements related to professional service contracts in Public Bid Law.

(Adds R.S. 39:128(E))