

2022 Regular Session

HOUSE BILL NO. 756

BY REPRESENTATIVE SCHEXNAYDER

PUBLIC BLDGS/GROUNDS-ST: Provides relative to certain public buildings and grounds

1 AN ACT

2 To enact R.S. 49:150.3, relative to the state capitol complex; to provide for the maintenance
3 and care of certain buildings and grounds within the state capitol complex; to
4 establish a special fund for such purposes; to provide for deposits into and use of
5 monies in the fund; to provide for related contracts and agreements; to provide for
6 an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:150.3 is hereby enacted to read as follows:

9 §150.3. State capitol, capitol annex, pentagon barracks buildings, Old Arsenal
10 Magazine Museum; grounds; special fund
11 A. Notwithstanding any other provision of law to the contrary, the office of
12 lieutenant governor, through the Department of Culture, Recreation and Tourism,
13 shall have charge of and be responsible for the maintenance of the state capitol and
14 any additions or appurtenances thereto, pentagon barracks buildings, capitol annex,
15 the Old Arsenal Magazine Museum, and the grounds adjacent to those buildings,
16 including any rental or lease agreements for space within those buildings or on those
17 grounds, all subject to the authority and direction of the speaker of the House of
18 Representatives and the president of the Senate.

1 B. In the performance of the duties and responsibilities established in
2 Subsection A of this Section, the office of lieutenant governor through the
3 Department of Culture, Recreation and Tourism shall repair, maintain, and, as
4 appropriate, enhance the buildings and grounds for the enjoyment, inspiration,
5 education, and safety of all people who visit the buildings and grounds.

6 C.(1) By February fifteenth of each year, the lieutenant governor shall
7 submit a plan and a proposed budget for the improvement, enhancement, repair, and
8 maintenance of the buildings and grounds to the Legislative Budgetary Control
9 Council for review and approval.

10 (2) After the yearly plan and budget are approved by the Legislative
11 Budgetary Control Council, the speaker of the House of Representatives and the
12 president of the Senate, acting jointly, may approve projects in accordance with the
13 plan and emergency maintenance and repair needs if and as required by unforeseen
14 circumstances.

15 D.(1) The Capitol Complex Maintenance and Enhancement Fund, hereafter
16 in this Subsection referred to as the "fund", is hereby established in the state treasury
17 as a special fund.

18 (2)(a) The monies in the fund are subject to an annual appropriation by the
19 legislature and may only be used for the purposes established in this Section and as
20 approved by the Legislative Budgetary Control Council. The monies in the fund
21 shall be invested by the treasurer in the same manner as monies in the state general
22 fund and all interest earned shall be deposited and credited to the fund. All
23 unexpended or unencumbered monies remaining in the fund at the end of the fiscal
24 year shall remain in the fund.

25 (b) The legislature may appropriate, allocate, or transfer additional monies
26 to the fund if it deems necessary to accomplish the purposes of the fund.

27 (c) The fund may receive and be credited any other monies designated for
28 the fund including donations, gifts, or grants.

1 (d) After June 30, 2023, all monies received from rental and lease
2 agreements for space within the buildings and on the grounds covered by the
3 provisions of this Section shall be deposited into the fund.

4 (3) Monies in the fund shall be available for appropriation to and use by the
5 office of lieutenant governor through the Department of Culture, Recreation and
6 Tourism and the Legislative Budgetary Control Council. Such appropriations shall
7 be used solely to fund construction, improvements, maintenance, renovations,
8 repairs, and necessary additions or enhancements to the state capitol and any
9 additions or appurtenances thereto, pentagon barracks buildings, capitol annex, the
10 Old Arsenal Magazine Museum, and the grounds adjacent to those buildings.

11 Section 2.(A) On the effective date of this Act, the state treasurer is hereby
12 authorized and directed to transfer any and all funds allocated to the division of
13 administration or any agency thereof to carry out the functions, duties, and activities
14 transferred to the office of lieutenant governor through the Department of Culture,
15 Recreation and Tourism and the Legislative Budgetary Control Council by the provisions
16 of this Act to the Capitol Complex Maintenance and Enhancement Fund for use in carrying
17 out the functions, duties, and activities in accordance with the provisions of this Act.

18 (B) The terms and conditions of the cooperative endeavor agreement entered into
19 with the Department of Veterans Affairs regarding the Old Arsenal Magazine Museum and
20 the Louisiana Veterans Memorial Park shall be retained in the manner set forth in the
21 agreement.

22 (C) Any contract entered into with the division of administration or any agency
23 thereof for the functions, duties, and activities transferred to the office of lieutenant governor
24 through the Department of Culture, Recreation and Tourism and the Legislative Budgetary
25 Control Council by the provisions of this Act shall be deemed to have been transferred and
26 assigned to the office of lieutenant governor and shall be subject to the directives of the
27 presiding officers of the legislature and the Legislative Budgetary Control Council in the
28 manner provided by this Act, without the necessity of contractual amendment.

1 (D) For Fiscal Year 2022-2023, until the lieutenant governor is able to submit a plan
2 in accordance with R.S. 49:150.3(C) as enacted by Section 1 of this Act, the office of the
3 lieutenant governor through the Department of Culture, Recreation and Tourism shall
4 coordinate with and work at the direction of the speaker of the House of Representatives and
5 the president of the Senate to accomplish the goals of R.S. 49:150.3(A) and (B) as enacted
6 by Section 1 of this Act.

7 Section 3. This Act shall become effective on July 1, 2022.

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 756 Re-Reengrossed

2022 Regular Session

Schexnayder

Abstract: Transfers responsibility of the maintenance of specified buildings and grounds in the capitol complex to the Lt. governor through the Dept. of Culture, Recreation and Tourism subject to the authority and direction of the speaker of the House and the president of the Senate and creates a special fund for such purposes.

Present law (R.S. 49:150.1) provides for and specifies the allocation and use of space within the state capitol, pentagon court buildings, and the Old Arsenal Museum, including the subbasement, basement, and all floors of the state capitol, all buildings in the pentagon court, and the Old Arsenal Museum. Provides that except as otherwise provided in present law, the superintendent of state buildings will have charge of the management, operation, and maintenance of the state capitol building, pentagon court buildings, the Old Arsenal Museum, and the capitol complex grounds. Present law provides that in the performance of such duties, the superintendent will be under the authority and direction of the governor, the speaker of the House of Representatives, and the president of the Senate.

Proposed law provides notwithstanding present law that the office of the Lt. governor through the Dept. of Culture, Recreation and Tourism (CRT) shall have charge of and be responsible for the maintenance of the state capitol and any additions or appurtenances thereto, pentagon barracks buildings, capitol annex, the Old Arsenal Magazine Museum, and the grounds adjacent to those buildings, including any lease or rental agreements related to those properties, all subject to the authority and direction of the speaker of the House and the president of the Senate. Provides that office of the Lt. governor through CRT shall repair, maintain, and, as appropriate, enhance the buildings and grounds for the enjoyment, inspiration, education, and safety of all people who visit the buildings and grounds. Requires the Lt. governor to submit a plan and a proposed budget for such functions to the Legislative Budgetary Control Council (LBCC) by Feb. 15th of each year. Provides after approval of the plan and budget, the speaker and the president may approve projects in accordance with the plan and emergency maintenance and repair needs.

Proposed law establishes the Capitol Complex Maintenance and Enhancement Fund as a special fund in the state treasury. Provides that monies in the fund shall be subject to appropriation and only used for the purposes established proposed law and as approved by the LBCC. Provides that the monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund, all interest earned shall be deposited and credited to the fund, and all unexpended or unencumbered monies remaining in the fund at

the end of the fiscal year shall remain in the fund. Required deposit of rent and lease revenue into the fund.

Proposed law directs the state treasurer to transfer any and all funds allocated to the division of administration or any agency thereof to carry out the functions, duties, and activities transferred to the office of Lt. governor through CRT and the LBCC by proposed law to the Capitol Complex Maintenance and Enhancement Fund. Provides that the cooperative endeavor agreement entered into with the Dept. of Veterans Affairs regarding the Old Arsenal Magazine Museum and the La. Veterans Memorial Park shall be retained in the manner set forth in the agreement. Provides that any contracts entered into with the division of administration or any agency thereof for the functions, duties, and activities transferred by proposed law shall be deemed to have been transferred and assigned to the office of Lt. governor and shall be subject to the directives of the presiding officers of the legislature and the LBCC in the manner provided by proposed law without the necessity of contractual amendment.

Proposed law specifies for FY2022-23, the office of Lt. governor through CRT shall coordinate with and work at the direction of the presiding officers of the legislature to accomplish the goals of proposed law until the Lt. governor is able to submit a plan for approval to LBCC in accordance proposed law.

Effective July 1, 2022.

(Adds R.S. 49:150.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Provide for rental and lease agreements for the properties and for the deposit of those proceeds into the fund.
2. Provide for office of Lt. governor through CRT to coordinate with and work at the direction of the presiding officers for FY2022-23.
3. Change effective date from signature of governor to July 1, 2022.