

Regular Session, 2013

HOUSE BILL NO. 687

BY REPRESENTATIVE KLECKLEY

LEGISLATIVE EXPENSES: Makes appropriations for the expenses of the legislature for
FY 2013-2014

1 AN ACT

2 To appropriate funds for Fiscal Year 2013-2014 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-Nine Million Two Hundred Sixty-Three Thousand
10 Nine Hundred Thirty-Three and No/100 (\$69,263,933.00) Dollars, or so much thereof as
11 may be necessary, is hereby appropriated out of the state general fund and the sum of
12 Twenty-Three Million Three Hundred Seventy-Nine Thousand Five Hundred Sixty-Six and
13 No/100 (\$23,379,566.00) Dollars is hereby appropriated out of self-generated funds to
14 defray the expenses of the legislature, including the House of Representatives and the
15 Senate, the staffs of the House of Representatives and of the Senate, the Legislative Auditor,
16 the Legislative Fiscal Office, the Legislative Budgetary Control Council, and the Louisiana
17 State Law Institute.

18 Section 2.(A)(1) Out of the total amount herein appropriated from the state general
19 fund, Forty-Eight Million Three Hundred Thirty-Five Thousand Six Hundred Sixty-One and
20 No/100 (\$48,335,661.00) Dollars is hereby allocated to provide the salary and allowances
21 of members, officers, and staff of the House of Representatives, and the salary and
22 allowances for the speaker of the House of Representatives and for expenses of his office,

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

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

27 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Seven
28 Million Six Hundred Seven Thousand Five Hundred Sixty-Eight and No/100
29 (\$27,607,568.00) Dollars is hereby set aside and allocated for the use of the House of

1 Representatives and Twenty Million Seven Hundred Twenty-Eight Thousand Ninety- Three
2 and No/100 (\$20,728,093.00) Dollars for the use of the Senate.

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

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

19 (2) Copies of legislative documents of the Senate and the House shall be provided
20 at fees according to policy and schedules adopted by the secretary of the Senate and clerk
21 of the House, jointly, and approved by the president of the Senate and the speaker of the
22 House, jointly. Funds derived from the sale of legislative documents of the Senate and the
23 House during the 2014 Regular Session shall be used to offset the cost of printing the
24 journals and calendars.

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

28 (E) Any portion of the funds herein allocated to the two houses, any portion of the
29 funds previously appropriated or interest earnings on such appropriations and any self-
30 generated revenues that are not required for the expenses of the 2013 Regular Session of the

1 Legislature, including printing and all expenses in connection therewith, are hereby
2 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any
3 other expenses of the legislature during the 2013-2014 Fiscal Year; however, all funds
4 remaining unexpended and/or unencumbered shall be returnable to the state general fund on
5 or before October 1, 2014.

6 Section 3.(A) The sum of Nine Million Three Hundred Fourteen Thousand Eight
7 Hundred Twenty-Three and No/100 (\$9,314,823) Dollars is hereby allocated out of the total
8 appropriation from the state general fund made in Section 1 of this Act to the legislative
9 auditor, to pay the expenses of his office, including the salaries and expenses of his
10 employees, the costs of equipment, and all other expenses incurred by that office in
11 connection with the operation thereof during the 2013-2014 Fiscal Year.

12 (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars
13 is hereby appropriated, payable from the state general fund, to establish an agency working
14 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds
15 available in the ancillary enterprise fund, the sum of Twenty-Three Million Three Hundred
16 Seventy-Nine Thousand Five Hundred Sixty-Six and No/100 (\$23,379,566.00) Dollars is
17 authorized to be used by the legislative auditor, in addition to the amount allocated in
18 Section 3.(A) hereof, to pay the expenses of his office, including the salaries and expenses
19 of his employees, the costs of equipment, and all other expenses incurred by that office in
20 connection with the operations thereof during the 2013-2014 Fiscal Year.

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

28 (3) Notwithstanding any provision of the law to the contrary, including the General
29 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the
30 legislative auditor is authorized to allocate and collect from each auditee included in the

1 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by
2 independent certified public accountants, such amounts as may be reasonably necessary to
3 compensate the legislative auditor for services rendered and costs incurred in connection
4 with the audit of each auditee. In the collection of such amounts, the legislative auditor
5 shall, on or after the first day of July of each year, notify and warrant, without any other
6 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,
7 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to
8 each auditee from monies accruing or available to the auditee to the Legislative Auditor
9 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated
10 to all such auditees shall not exceed the amount appropriated to the legislative auditor from
11 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)
12 herein.

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

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

27 (E) In addition to any portion of the funds herein allocated in this Section to the
28 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,
29 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby
30 appropriated and may be used to defray the expenses of the legislative auditor. These funds

1 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not
2 to exceed the total balance remaining at the end of the previous fiscal year; however, all
3 funds remaining unexpended and/or unencumbered shall be returnable to the state general
4 fund on or before October 1, 2014.

5 Section 4.(A) The sum of Two Million Four Hundred Thirty Thousand Two
6 Hundred Ninety-Seven and No/100 (\$2,430,297.00) Dollars is hereby allocated out of the
7 total appropriation from the state general fund made in Section 1 of this Act to the Joint
8 Legislative Committee on the Budget, to be used solely for the operations of the Legislative
9 Fiscal Office and in particular to pay the expenses thereof, including the salaries and
10 expenses of its employees, the cost of equipment, and all other expenses incurred by said
11 office in connection with the operation thereof during the 2013-2014 Fiscal Year. The
12 operations and functions of the Legislative Fiscal Office shall be under the direction and
13 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant
14 services shall be approved by the Legislative Budgetary Control Council and the Joint
15 Legislative Committee on the Budget.

16 (B) The legislative fiscal officer shall warrant on the state treasurer for the allocation
17 provided 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 a budget
19 approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary
20 Control Council.

21 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any
22 portion of the funds previously appropriated or interest earnings on such appropriations and
23 any self-generated revenues that are not required for the expenses of the 2013 Regular
24 Session of the Legislature, including printing and all expenses in connection therewith, are
25 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during
26 the 2013-2014 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
27 shall be returnable to the state general fund on or before October 1, 2014.

28 Section 5.(A) The sum of One Million Thirty-Three Thousand Five Hundred Nine
29 and No/100 (\$1,033,509.00) Dollars is hereby allocated out of the total appropriation from
30 the state general fund made in Section 1 of this Act to the Louisiana State Law Institute, to

1 pay the expenses thereof, including the salaries and expenses of its employees, the cost of
2 equipment, and all other expenses incurred by said office in connection with the operation
3 thereof during the 2013-2014 Fiscal Year. All unexpended and/or unencumbered funds
4 remaining on October 1, 2014, shall be returnable to the state general fund.

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

10 Section 6.(A) The sum of Eight Million One Hundred Forty-Nine Thousand Six
11 Hundred Forty-Three and No/100 (\$8,149,643.00) Dollars is hereby allocated out of the total
12 appropriation from the state general fund made in Section 1 of this Act and the balance on
13 July 2, 2013 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular
14 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which
15 may be used to pay the expenses thereof, including salaries and expenses of certain
16 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.
17 Poynter Legislative Research Library, contracts for professional services, mileage and per
18 diem expenses of the interim activities of joint legislative committees created by statute or
19 by the presiding officers of the Senate and the House of Representatives to which no specific
20 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-
21 chairmen of the council, the cost of construction, maintenance, renovations, and access to
22 the capitol building, capitol annex building, pentagon courts, and arsenal building, and
23 purchase, maintenance, and repair of furniture and equipment, audio-visual upgrades,
24 technological enhancements, technical support, and computer equipment and services, as
25 jointly approved by the president of the Senate and the speaker of the House of
26 Representatives, the cost of equipment, dues to legislative associations, to pay costs to
27 maintain actuarial integrity of the state retirement system affected by the inclusion of certain
28 legislative employees, and all other expenses incurred by said council in connection with the
29 operation thereof during the 2013-2014 Fiscal Year.

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

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

14 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control
 15 Council, any portion of the funds previously appropriated, or interest earnings on any such
 16 appropriations, and self-generated revenues are hereby appropriated and may be used to pay
 17 any expenses of the Legislative Budgetary Control Council during the 2013-2014 Fiscal
 18 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable
 19 to the state general fund on or before October 1, 2014.

20 Section 7. In accordance with R.S. 39:51(D), a comparative statement of the existing
 21 operating budget for the 2012-2013 fiscal year and the appropriation for 2013-2014 fiscal
 22 year from the state general fund is as follows:

Entity	FY 2012-2013	FY 2013-2014
House of Representatives	\$ 27,607,568	\$ 27,607,568
Senate	\$ 20,728,093	\$ 20,728,093
Legislative Auditor	\$ 9,314,823	\$ 9,314,823
Legislative Fiscal Office	\$ 2,430,297	\$ 2,430,297
Louisiana State Law Institute	\$ 1,033,509	\$ 1,033,509
Legislative Budgetary Control		
Council	\$ 8,149,643	\$ 8,149,643
Total state general fund	\$ 69,263,933	\$ 69,263,933

1 The Legislative Auditor for FY 2012-2013 was appropriated self-generated funds in
 2 the amount of \$23,379,566 and for FY 2013-2014 is appropriated self-generated funds in the
 3 amount of \$23,379,566. The Legislative Budgetary Control Council for FY 2012-2013 was
 4 appropriated the balance of the technology fund on July 2, 2012 and for FY 2013-2014 is
 5 appropriated the balance on July 2, 2013 of said fund.

6 Section 8. This Act shall become effective on July 1, 2013; if vetoed by the governor
 7 and subsequently approved by the legislature, this Act shall become effective on July 1,
 8 2013, 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)]

Kleckley

HB No.

Provides for the expenses of the legislature and legislative service agencies. Appropriates \$69,263,933 from the state general fund for FY 2013-2014 including the following:

House of Representatives	\$ 27,607,568
Senate	\$ 20,728,093
Legislative Auditor	\$ 9,314,823
Legislative Fiscal Office	\$ 2,430,297
Louisiana State Law Institute	\$ 1,033,509
Legislative Budgetary Control Council	<u>\$ 8,149,643</u>
 Total state general fund	 \$ 69,263,933

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, 2013 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 \$23,379,566 from the fund, which is authorized to be used for expenses of the auditor's office.

Retains provisions of existing 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, 2013.