

Regular Session, 2013

HOUSE BILL NO. 538

BY REPRESENTATIVES SCHRODER, KLECKLEY, ARMES, BERTHELOT, BILLIOT, BROWN, CARMODY, CARTER, CHAMPAGNE, CHANEY, CONNICK, COX, CROMER, FOIL, GAINES, GUILLORY, HARRISON, HAVARD, HAZEL, HENSGENS, HOFFMANN, HONORE, HOWARD, JAMES, MONTOUCET, ORTEGO, POPE, PRICE, REYNOLDS, RICHARD, SCHEXNAYDER, ST. GERMAIN, AND THOMPSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC BLDGS/GROUNDS-ST: Provides relative to security and the allocation and use of space within the state capitol complex

1 AN ACT

2 To amend and reenact R.S. 49:150.1, relative to the state capitol complex; to provide for the
3 allocation and use of space within the state capitol complex; to provide relative to
4 the security of the state capitol and surrounding grounds; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:150.1 is hereby amended and reenacted to read as follows:

8 §150.1. State capitol complex; allocation of space; maintenance; law enforcement
9 officer and firefighter memorial; security plan

10 A. Notwithstanding any other provision of law to the contrary, and
11 particularly any contrary provision of R.S. 49:146 or R.S. 39:127, the allocation and
12 use of space within the state capitol and any additions or appurtenances thereto,
13 pentagon ~~courts~~ barracks buildings, and the Old Arsenal Magazine Museum shall be
14 as provided in this ~~Subpart~~ Section. ~~The provisions of this Subpart shall apply to the~~
15 ~~subbasement, basement, and all floors of the state capitol, all buildings in the~~
16 ~~pentagon courts, and the Old Arsenal Museum.~~

1 B. The fourth floor and three floors, fifth, and sixth floors of the state capitol
2 ~~building~~ shall be allocated to and be used by the governor for his office, the offices
3 of the members of his personal staff, and the offices of such other personnel of
4 agencies within the office of the governor as the governor shall determine.

5 C. ~~In addition to the provisions of Subsection B herein, four floors of the~~
6 ~~state capitol building shall be designated for use by the attorney general and one~~ The
7 third floor and the twenty-first floor of the state capitol ~~building~~ shall be designated
8 for use by the state treasurer; however, the commissioner of agriculture shall have
9 office space on one floor designated for use by the state treasurer. ~~and~~ The secretary
10 of state shall have office space on the twentieth floor of the state capitol and may
11 designate an office for use by the commissioner of insurance. The attorney general
12 shall have office space on the twenty-second and twenty-third floors of the state
13 capitol. That space leased to members of the press on July 1, 1979, by the ~~Division~~
14 ~~of Administration~~ division of administration shall constitute the press area of the
15 state capitol and shall be under the control of the governor; ~~provided~~ however, if
16 renovations require temporary or permanent reassignment of the press to another
17 area of the state capitol such reassignment shall be determined and made jointly by
18 the governor, the speaker of the ~~house of representatives~~ House of Representatives,
19 and the president of the ~~senate~~ Senate.

20 D. The designation of the ~~eight floors as set forth in Subsection B and C~~
21 ~~herein, not including the fourth floor, shall be jointly determined by the governor,~~
22 ~~the speaker of the house of representatives, and the president of the senate.~~ remaining
23 floors of the state capitol not otherwise specifically designated in Subsections B and
24 C of this Section shall be determined jointly by the governor, the speaker of the
25 House of Representatives, and the president of the Senate.

26 E.(1) All areas of the state capitol, pentagon ~~courts~~ barracks buildings, and
27 the Old Arsenal Magazine Museum not allocated under the provisions of Subsections
28 B and C ~~herein~~ of this Section shall be for the sole use of the legislature, its agencies
29 and officers, and the employees of the legislature and its agencies. ~~In addition, the~~

1 former nurses' dormitory at the ~~Our Lady of the Lake Hospital, located on Capitol~~
2 ~~Lake, shall be for the sole use of the legislature, its agencies and officers, and the~~
3 ~~employees of the legislature and its agencies until such time as it shall be renovated~~
4 ~~in accordance with the Capitol Complex Master Plan and it shall then revert to the~~
5 ~~control of the division of administration.~~

6 (2) ~~The time at which such renovation shall begin shall be determined jointly~~
7 ~~by the President of the Senate, the Speaker of the House of Representatives, and the~~
8 ~~commissioner of administration. The allocation of these areas shall be made by the~~
9 ~~legislature by joint rule or through the Legislative Budgetary Control Council.~~

10 F.(1) Except as otherwise provided in this Section, the superintendent of
11 state buildings shall have charge of the maintenance of the Old Arsenal Magazine
12 Museum and the management, operation, and maintenance of the state capitol
13 building, pentagon courts barracks buildings, the Old Arsenal Museum, the capitol
14 annex, and the capitol complex grounds. In the performance of the duties specified
15 in this Subsection, the superintendent shall be under the authority and direction of
16 the governor, the speaker of the ~~house of representatives~~ House of Representatives,
17 and the president of the ~~senate~~ Senate.

18 (2) Notwithstanding any other provision of law to the contrary, the
19 Department of State shall have charge of the management and operation of the Old
20 Arsenal Magazine Museum.

21 G. In accordance with R.S. 25:781 through 785 and subject to the joint
22 approval and oversight of the governor, the president of the Senate, and the speaker
23 of the House of Representatives, the superintendent of state buildings shall:

24 (1) Set aside and maintain an area on the grounds of the state capitol east of
25 the Old Arsenal Magazine Museum for a memorial honoring law enforcement
26 officers and firefighters who are killed in the line of duty;.

27 (2) Plan, implement, and maintain the memorial ~~itself; and.~~

1 (3) Establish and maintain a fund to consist of private donations, grants, and
 2 other similar, but ~~non-state~~ nonstate, monies which he shall use with respect to the
 3 establishment and maintenance of the memorial.

4 H. The office of state police shall develop and implement a security plan for
 5 the state capitol and the surrounding grounds, subject to the approval of the
 6 Legislative Budgetary Control Council.

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)]

Schroder

HB No. 538

Abstract: Provides for security and the allocation and use of space within the state capitol complex and provides for a security plan for the state capitol and its grounds.

Present law, relative to the allocation and use of space in the capitol complex, provides that notwithstanding any other law to the contrary, 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, shall be as follows:

- (1) The fourth floor and three floors of the state capitol building shall be allocated to and be used by the governor for his office, the offices of the members of his personal staff, and the offices of such other personnel of agencies within the office of the governor as the governor shall determine.
- (2) Four floors of the state capitol building shall be designated for use by the attorney general and one floor of the state capitol building shall be designated for use by the treasurer and the secretary of state. That space leased to members of the press on July 1, 1979, by the division of administration shall constitute the press area of the capitol and shall be under the control of the governor; provided however, if renovations require temporary or permanent reassignment of the press to another area of the capitol such reassignment shall be determined and made jointly by the governor, the House speaker, and Senate president.
- (3) The designation of the eight floors set forth in (1) and (2), not including the fourth floor, shall be jointly determined by the governor, the House speaker, and Senate president.
- (4) All areas of the state capitol, pentagon court buildings, and Old Arsenal Museum not allocated in (1) and (2) shall be for the sole use of the legislature, its agencies and officers, and the employees of the legislature and its agencies. In addition, the former nurses' dormitory at the Our Lady of the Lake Hospital, located on Capitol Lake, shall be for the sole use of the legislature, its agencies and officers, and the employees of the legislature and its agencies until such time as it shall be renovated in accordance with the Capitol Complex Master Plan and it shall then revert to the control of the division of administration. Provides that at the time at which such renovation shall begin shall be determined jointly by the Senate president, the House speaker, and the commissioner of administration. The allocation of these areas shall

be made by the legislature by joint rule or through the Legislative Budgetary Control Council.

- (5) Provides that except as otherwise provided in present law, the superintendent of state buildings shall 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 and that in the performance of such duties, the superintendent shall be under the authority and direction of the governor, the House speaker, and the Senate president.
- (6) Provides that subject to the joint approval and oversight of the governor, the Senate president, and House speaker, the superintendent of state buildings shall (a) set aside and maintain an area on the grounds of the state capitol east of the Old Arsenal Museum for a memorial honoring law enforcement officers and firefighters who are killed in the line of duty; (b) plan, implement, and maintain the memorial itself; and (c) establish and maintain a fund to consist of private donations, grants, and other similar, but nonstate, monies which shall be used with respect to the establishment, and maintenance of the memorial.

Proposed law includes additions or appurtenances to state capitol and deletes specific reference to the subbasement, basement, and all floors of the capitol. Changes references from state capitol building to state capitol. Removes provision that designation of the floors in the state capitol for use by specified statewide elected officials, excluding the fourth floor, be made jointly by the governor and the presiding officers of the legislature and instead specifically provides as follows:

- (1) Changes provision allocating the fourth floor and three floors of the state capitol to the governor by specifying instead that the fourth, fifth, and sixth floors of the state capitol are allocated to the governor.
- (2) Removes provisions allocating four floors to the attorney general and one floor to the treasurer and secretary of state and instead allocates the third and twenty-first floor to the treasurer and provides that the commissioner of agriculture shall have space on one of the floors allocated to the treasurer. Specifies that the secretary of state shall have space on the twentieth floor and may designate an office for use by the commissioner of insurance and allocates space on the twenty-second and twenty-third floors to the attorney general.
- (3) Provides that the designation of the floors not otherwise specifically designated shall be determined jointly by governor, the speaker of the House, and the president of the Senate.

Proposed law further requires the office of state police to develop and implement a security plan for the state capitol and the surrounding grounds, subject to the approval of the Legislative Budgetary Control Council.

Proposed law changes reference from pentagon courts buildings to pentagon barracks buildings.

Proposed law changes reference from Old Arsenal Museum to Old Arsenal Magazine Museum. Further specifies that the superintendent of state buildings shall have charge of the maintenance of the Old Arsenal Magazine Museum and provides, notwithstanding present law and proposed law, that the Dept. of State shall have charge of its management and operation.

Proposed law deletes reference to the former nurses' dormitory at the Our Lady of the Lake Hospital.

(Amends R.S. 49:150.1)

Summary of Amendments Adopted by House

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

1. Removes proposed provisions regarding the allocation of and use of space in the capitol annex.
2. Removes provision that the lieutenant governor, the secretary of state, the attorney general, and the commissioner of insurance shall have space on the twentieth floor and instead provides that the secretary of state shall have space on the twentieth floor and may designate an office for use by the commissioner of insurance and provides that the attorney general shall have space on the twenty-second and twenty-third floors of the state capitol.
3. Includes the governor in addition to the Speaker of the House and the President of the Senate in the determination of the designation of floors of the state capitol not specifically designated by proposed law.
4. Makes technical changes.