

Regular Session, 2013

HOUSE BILL NO. 687

BY REPRESENTATIVE KLECKLEY

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,
23 including reimbursement for actual expenses as presiding officer and for his service to or for
24 the benefit of the House of Representatives, the legislature, the legislative branch of
25 government, or the state, as determined by the speaker, and to provide the salary and

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

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

24 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Seven
25 Million Six Hundred Seven Thousand Five Hundred Sixty-Eight and No/100
26 (\$27,607,568.00) Dollars is hereby set aside and allocated for the use of the House of
27 Representatives and Twenty Million Seven Hundred Twenty-Eight Thousand Ninety- Three
28 and No/100 (\$20,728,093.00) Dollars for the use of the Senate.

29 (C) The presiding officer of each house shall warrant on the state treasurer in favor
30 of the House of Representatives or the Senate, as the case may be, for the allocation herein
31 provided, or for so much thereof as may be necessary. The aforesaid warrants shall be paid

1 out of the state general fund, and the state treasurer shall pay said warrants by preference
2 over all other warrants, except warrants for the salaries of constitutional officers of the state,
3 which shall be concurrent with the warrants provided for by this Act.

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

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

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

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

1 Section 3.(A) The sum of Nine Million Three Hundred Fourteen Thousand Eight
2 Hundred Twenty-Three and No/100 (\$9,314,823.00) Dollars is hereby allocated out of the
3 total appropriation from the state general fund made in Section 1 of this Act to the legislative
4 auditor, to pay the expenses of his office, including the salaries and expenses of his
5 employees, the costs of equipment, and all other expenses incurred by that office in
6 connection with the operation thereof during the 2013-2014 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-Three Million Three Hundred
11 Seventy-Nine Thousand Five Hundred Sixty-Six and No/100 (\$23,379,566.00) Dollars is
12 authorized to be used by the legislative auditor, in addition to the amount allocated in
13 Section 3.(A) hereof, to pay the expenses of his office, including the salaries and expenses
14 of his employees, the costs of equipment, and all other expenses incurred by that office in
15 connection with the operations thereof during the 2013-2014 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, 2014.

29 Section 4.(A) The sum of Two Million Four Hundred Thirty Thousand Two
30 Hundred Ninety-Seven and No/100 (\$2,430,297.00) 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 2013-2014 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 2013 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 2013-2014 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
 20 shall be returnable to the state general fund on or before October 1, 2014.

21 Section 5.(A) The sum of One Million Thirty-Three Thousand Five Hundred Nine
 22 and No/100 (\$1,033,509.00) 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 2013-2014 Fiscal Year. All unexpended and/or unencumbered funds
 27 remaining on October 1, 2014, shall be returnable to the state general fund.

28 (B) The executive director of the Louisiana State Law Institute shall warrant on the
 29 state treasurer for the allocation provided by this Section, and the warrant shall be paid by
 30 the state treasurer out of the state general fund. The funds so drawn shall be disbursed only

1 in accordance with a budget approved by the Legislative Budgetary Control Council and
2 subject to the budgetary control of said council.

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

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

28 (C) The funds drawn as provided herein shall be deposited in the name of the
29 Legislative Budgetary Control Council in an approved bank located in this state selected by
30 the presiding co-chairmen of the council. Payment of per diem and mileage, salaries of the
31 officers and employees, and other expenses of the Legislative Budgetary Control Council

1 shall be made by individual check, payable to the person or firm entitled thereto, signed by
 2 the presiding co-chairmen of the council. Facsimile signatures may be used; such payment
 3 also may be made by electronic funds transfer through the automated clearing house and
 4 deposited into the account of the person or firm entitled to such payment.

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

11 Section 7. In accordance with R.S. 39:51(D), a comparative statement of the existing
 12 operating budget for the 2012-2013 Fiscal Year and the appropriation for 2013-2014 Fiscal
 13 Year from the state general fund is as follows:

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

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

1 Section 8. This Act shall become effective on July 1, 2013; if vetoed by the governor
2 and subsequently approved by the legislature, this Act shall become effective on July 1,
3 2013, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____