

2020 First Extraordinary Session

HOUSE BILL NO. 8

BY REPRESENTATIVE SCHEXNAYDER

FUNDS/FUNDING: Makes appropriations for the expenses of the legislature for Fiscal Year 2020-2021 (Item #3)

1 AN ACT

2 To appropriate funds for Fiscal Year 2020-2021 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 Seventy-Four Million Ninety-Three Thousand Eight Hundred
10 Eighty-One and No/100 (\$74,093,881.00) Dollars, or so much thereof as may be necessary,
11 is hereby appropriated out of the state general fund and the sum of Twenty-Three Million
12 Five Hundred Twenty-Five Thousand Forty-Three and No/100 (\$23,525,043.00) Dollars is
13 hereby appropriated out of self-generated funds to defray the expenses of the legislature,
14 including the House of Representatives and the Senate, the staffs of the House of
15 Representatives and of the Senate, the Legislative Auditor, the Legislative Fiscal Office, the
16 Legislative Budgetary Control Council, and the Louisiana State Law Institute.

17 Section 2.(A)(1) Out of the total amount herein appropriated from the state general
18 fund, Fifty Million Seven Hundred Sixty-Two Thousand Seven Hundred Ninety-Eight and
19 No/100 (\$50,762,798.00) Dollars is hereby allocated to provide the salary and allowances
20 of members, officers, and staff of the House of Representatives, and the salary and

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

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

28 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Eight
29 Million Nine Hundred Ninety-Eight Thousand Three Hundred and No/100 (\$28,998,300.00)

1 Dollars is hereby set aside and allocated for the use of the House of Representatives and
2 Twenty-One Million Seven Hundred Sixty-Four Thousand Four Hundred Ninety-Eight and
3 No/100 (\$21,764,498.00) Dollars for the use of the Senate.

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

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

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

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

1 (E) Any portion of the funds herein allocated to the two houses, any portion of the
2 funds previously appropriated or interest earnings on such appropriations and any self-
3 generated revenues that are not required for the expenses of the 2020 Regular Session of the
4 Legislature, including printing and all expenses in connection therewith, are hereby
5 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any
6 other expenses of the legislature during the 2020-2021 Fiscal Year; however, all funds
7 remaining unexpended and/or unencumbered shall be returnable to the state general fund on
8 or before October 1, 2021.

9 Section 3.(A) The sum of Ten Million Four Hundred Eighty-Three Thousand Seven
10 Hundred Eight and No/100 (\$10,483,708.00) Dollars is hereby allocated out of the total
11 appropriation from the state general fund made in Section 1 of this Act to the legislative
12 auditor, to pay the expenses of his office, including the salaries and expenses of his
13 employees, the costs of equipment, and all other expenses incurred by that office in
14 connection with the operation thereof during the 2020-2021 Fiscal Year.

15 (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars
16 is hereby appropriated, payable from the state general fund, to establish an agency working
17 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds
18 available in the ancillary enterprise fund, the sum of Twenty-Three Million Five Hundred
19 Twenty-Five Thousand Forty-Three and No/100 (\$23,525,043.00) Dollars is authorized to
20 be used by the legislative auditor, in addition to the amount allocated in Section 3.(A) hereof,
21 to pay the expenses of his office, including the salaries and expenses of his employees, the
22 costs of equipment, and all other expenses incurred by that office in connection with the
23 operations thereof during the 2020-2021 Fiscal Year.

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

1 Reimbursement for audits performed on federally funded programs shall be limited to
2 reimbursement authorized by federal laws and regulations.

3 (3) Notwithstanding any provision of the law to the contrary, including the General
4 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the
5 legislative auditor is authorized to allocate and collect from each auditee included in the
6 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by
7 independent certified public accountants, such amounts as may be reasonably necessary to
8 compensate the legislative auditor for services rendered and costs incurred in connection
9 with the audit of each auditee. In the collection of such amounts, the legislative auditor
10 shall, on or after the first day of July of each year, notify and warrant, without any other
11 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,
12 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to
13 each auditee from monies accruing or available to the auditee to the Legislative Auditor
14 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated
15 to all such auditees shall not exceed the amount appropriated to the legislative auditor from
16 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)
17 herein.

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

27 (D) The legislative auditor shall warrant on the state treasurer for the monies
28 allocated by this Section, and the warrant shall be paid by the state treasurer out of the state
29 general fund. The funds so drawn shall be disbursed only in accordance with budgeted

1 amounts provided herein and such amendments as may be approved by the Legislative
2 Budgetary Control Council.

3 (E) In addition to any portion of the funds herein allocated in this Section to the
4 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,
5 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby
6 appropriated and may be used to defray the expenses of the legislative auditor. These funds
7 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not
8 to exceed the total balance remaining at the end of the previous fiscal year; however, all
9 funds remaining unexpended and/or unencumbered shall be returnable to the state general
10 fund on or before October 1, 2021.

11 Section 4.(A) The sum of Three Million One Hundred Fifty-Eight Thousand Eight
12 Hundred Forty-Nine and No/100 (\$3,158,849.00) Dollars is hereby allocated out of the total
13 appropriation from the state general fund made in Section 1 of this Act to the Joint
14 Legislative Committee on the Budget, to be used solely for the operations of the Legislative
15 Fiscal Office and in particular to pay the expenses thereof, including the salaries and
16 expenses of its employees, the cost of equipment, and all other expenses incurred by said
17 office in connection with the operation thereof during the 2020-2021 Fiscal Year. The
18 operations and functions of the Legislative Fiscal Office shall be under the direction and
19 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant
20 services shall be approved by the Legislative Budgetary Control Council and the Joint
21 Legislative Committee on the Budget.

22 (B) The legislative fiscal officer shall warrant on the state treasurer for the allocation
23 provided 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 a budget
25 approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary
26 Control Council.

27 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any
28 portion of the funds previously appropriated or interest earnings on such appropriations and
29 any self-generated revenues that are not required for the expenses of the 2020 Regular

1 Session of the Legislature, including printing and all expenses in connection therewith, are
2 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during
3 the 2020-2021 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
4 shall be returnable to the state general fund on or before October 1, 2021.

5 Section 5.(A) The sum of One Million One Hundred Thirty-One Thousand Four
6 Hundred One and No/100 (\$1,131,401.00) Dollars is hereby allocated out of the total
7 appropriation from the state general fund made in Section 1 of this Act to the Louisiana State
8 Law Institute, to pay the expenses thereof, including the salaries and expenses of its
9 employees, the cost of equipment, and all other expenses incurred by said office in
10 connection with the operation thereof during the 2020-2021 Fiscal Year.

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

16 (C) Any portion of the funds herein allocated to the Louisiana State Law Institute,
17 any portion of the funds previously appropriated or interest earnings on such appropriations
18 and any self-generated revenues may be used to pay expenses of the Louisiana State Law
19 Institute during the 2020-2021 Fiscal Year; however, all funds remaining unexpended and/or
20 unencumbered shall be returnable to the state general fund on or before October 1, 2021.

21 Section 6.(A) The sum of Eight Million Five Hundred Fifty-Seven Thousand One
22 Hundred Twenty-Five and No/100 (\$8,557,125.00) Dollars is hereby allocated out of the
23 total appropriation from the state general fund made in Section 1 of this Act and the balance
24 on July 2, 2020 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular
25 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which
26 may be used to pay the expenses thereof, including salaries and expenses of certain
27 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.
28 Poynter Legislative Research Library, contracts for professional services, mileage and per
29 diem expenses of the interim activities of joint legislative committees created by statute or

1 by the presiding officers of the Senate and the House of Representatives to which no specific
2 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-
3 chairmen of the council, the cost of construction, maintenance, repair, improvements,
4 renovations, and access to the capitol building, capitol annex building, building for
5 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,
6 maintenance, and repair of furniture and equipment, audio-visual systems, security systems,
7 information networks, technological enhancements, technical support, and computer
8 equipment and services, as jointly approved by the president of the Senate and the speaker
9 of the House of Representatives, the cost of equipment, dues to legislative associations, to
10 pay costs to maintain actuarial integrity of the state retirement system affected by the
11 inclusion of certain legislative employees, and all other expenses incurred by said council
12 in connection with the operation thereof during the 2020-2021 Fiscal Year.

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

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

26 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control
27 Council, any portion of the funds previously appropriated, or interest earnings on any such
28 appropriations, and self-generated revenues are hereby appropriated and may be used to pay
29 any expenses of the Legislative Budgetary Control Council during the 2020-2021 Fiscal

1 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable
 2 to the state general fund on or before October 1, 2021.

3 Section 7. The appropriations, and the allocations of such appropriations, from the
 4 State General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total
 5 amount of Twelve Million Eight Hundred Fifty-One Thousand Ten and No/100
 6 (\$12,851,010) Dollars, pursuant to a plan adopted by the Legislative Budgetary Control
 7 Council.

8 Section 8. In addition to the funds appropriated in this Act, an amount equal to Three
 9 Million and No/100 (\$3,000,000) Dollars is hereby appropriated payable out of the State
 10 General Fund through Interagency Transfer from the Governor's Office of Homeland
 11 Security and Emergency Preparedness to the Legislative Budgetary Control Council.

12 Section 9. In accordance with R.S. 39:51(D), a comparative statement of the existing
 13 operating budget for FY 2019-2020 and the appropriation for FY 2020-2021 from the state
 14 general fund is as follows:

15 Entity	16 FY 2019-2020	17 FY 2020-2021
	18 (Act 70 of 2019)	
19 House of Representatives	\$ 28,998,300	\$ 28,998,300
20 Senate	\$ 21,764,498	\$ 21,764,498
21 Legislative Auditor	\$ 10,483,708	\$ 10,483,708
22 Legislative Fiscal Office	\$ 2,886,664	\$ 3,158,849
23 La. State Law Institute	\$ 1,131,401	\$ 1,131,401
24 Legislative Budgetary Control Council	\$ 8,557,125	\$ 8,557,125
25 Total state general fund	\$ 74,093,881	\$ 74,093,881

26 The Legislative Auditor for FY 2019-2020 was appropriated self-generated funds in
 27 the amount of \$23,525,042 and for FY 2020-2021 is appropriated self-generated funds in the
 28 amount of \$23,525,043. The Legislative Budgetary Control Council for FY 2019-2020 was
 29 appropriated the balance of the technology fund on July 2, 2019 and for FY 2020-2021 is
 appropriated the balance on July 2, 2020 of said fund. The FY 2019-2020 appropriations

1 for the Legislature and the legislative service agencies from the State General Fund (Direct)
2 were reduced by \$11,620,925 and the allocation of said reduction was implemented pursuant
3 to a plan adopted by the Legislative Budgetary Control Council.

4 Section 10. This Act shall become effective on July 1, 2020; if vetoed by the
5 governor and subsequently approved by the legislature, this Act shall become effective on
6 July 1, 2020, 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)]

HB 8 Original 2020 First Extraordinary Session Schexnayder

Abstract: Appropriates funds for the expenses of the legislature and legislative service agencies.

Provides for the expenses of the legislature and legislative service agencies. Appropriates \$74,093,881 from the state general fund for FY 2020-2021 including the following:

House of Representatives	\$ 28,998,300
Senate	\$ 21,764,498
Legislative Auditor	\$ 10,483,708
Legislative Fiscal Office	\$ 3,158,849
Louisiana State Law Institute	\$ 1,131,401
Legislative Budgetary Control Council	<u>\$ 8,557,125</u>
Total state general fund	<u>\$ 74,093,881</u>

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, 2020 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 \$23,525,043 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.

Requires appropriations from State General Fund (Direct) be reduced by \$12,851,010 pursuant to a plan adopted by the Legislative Budgetary Control Council.

Appropriates \$3,000,000 in federal funds to the Legislative Budgetary Control Council for COVID-19 related expenses.

Effective July 1, 2020.