

ACT No. 76

2015 Regular Session

HOUSE BILL NO. 791

BY REPRESENTATIVE KLECKLEY

1 AN ACT

2 To appropriate funds for Fiscal Year 2015-2016 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-Three Million Three Hundred Fifty-Two Thousand
10 Eight Hundred Eleven and No/100 (\$73,352,811.00) Dollars, or so much thereof as may be
11 necessary, is hereby appropriated out of the state general fund and the sum of Twenty-Four
12 Million Nine Hundred Fifty-Four Thousand Sixty-Four and No/100 (\$24,954,064.00)
13 Dollars is hereby appropriated out of self-generated funds to defray the expenses of the
14 legislature, including the House of Representatives and the Senate, the staffs of the House
15 of Representatives and of the Senate, the Legislative Auditor, the Legislative Fiscal Office,
16 the 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
21 allowances for the speaker of the House of Representatives and for expenses of his office,
22 including reimbursement for actual expenses as presiding officer and for his service to or for
23 the benefit of the House of Representatives, the legislature, the legislative branch of

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

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

25 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Eight
26 Million Nine Hundred Ninety-Eight Thousand Three Hundred and No/100 (\$28,998,300.00)
27 Dollars is hereby set aside and allocated for the use of the House of Representatives and
28 Twenty-One Million Seven Hundred Sixty-Four Thousand Four Hundred Ninety-Eight and
29 No/100 (\$21,764,498.00) Dollars for the use of the Senate.

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

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

17 (2) Copies of legislative documents of the Senate and the House shall be provided
18 at fees according to policy and schedules adopted by the secretary of the Senate and clerk
19 of the House, jointly, and approved by the president of the Senate and the speaker of the
20 House, jointly. Funds derived from the sale of legislative documents of the Senate and the
21 House during the 2016 Regular Session shall be used to offset the cost of printing the
22 journals and calendars.

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

26 (E) Any portion of the funds herein allocated to the two houses, any portion of the
27 funds previously appropriated or interest earnings on such appropriations and any self-
28 generated revenues that are not required for the expenses of the 2015 Regular Session of the
29 Legislature, including printing and all expenses in connection therewith, are hereby
30 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any

1 other expenses of the legislature during the 2015-2016 Fiscal Year; however, all funds
2 remaining unexpended and/or unencumbered shall be returnable to the state general fund on
3 or before October 1, 2016.

4 Section 3.(A) The sum of Ten Million Fourteen Thousand Eight Hundred Twenty-
5 Three and No/100 (\$10,014,823.00) Dollars is hereby allocated out of the total appropriation
6 from the state general fund made in Section 1 of this Act to the legislative auditor, to pay the
7 expenses of his office, including the salaries and expenses of his employees, the costs of
8 equipment, and all other expenses incurred by that office in connection with the operation
9 thereof during the 2015-2016 Fiscal Year.

10 (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars
11 is hereby appropriated, payable from the state general fund, to establish an agency working
12 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds
13 available in the ancillary enterprise fund, the sum of Twenty-Four Million Nine Hundred
14 Fifty-Four Thousand Sixty-Four and No/100 (\$24,954,064.00) Dollars is authorized to be
15 used by the legislative auditor, in addition to the amount allocated in Section 3.(A) hereof,
16 to pay the expenses of his office, including the salaries and expenses of his employees, the
17 costs of equipment, and all other expenses incurred by that office in connection with the
18 operations thereof during the 2015-2016 Fiscal Year.

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

26 (3) Notwithstanding any provision of the law to the contrary, including the General
27 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the
28 legislative auditor is authorized to allocate and collect from each auditee included in the
29 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by
30 independent certified public accountants, such amounts as may be reasonably necessary to

1 compensate the legislative auditor for services rendered and costs incurred in connection
2 with the audit of each auditee. In the collection of such amounts, the legislative auditor
3 shall, on or after the first day of July of each year, notify and warrant, without any other
4 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,
5 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to
6 each auditee from monies accruing or available to the auditee to the Legislative Auditor
7 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated
8 to all such auditees shall not exceed the amount appropriated to the legislative auditor from
9 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)
10 herein.

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

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

25 (E) In addition to any portion of the funds herein allocated in this Section to the
26 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,
27 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby
28 appropriated and may be used to defray the expenses of the legislative auditor. These funds
29 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not
30 to exceed the total balance remaining at the end of the previous fiscal year; however, all

1 funds remaining unexpended and/or unencumbered shall be returnable to the state general
2 fund on or before October 1, 2016.

3 Section 4.(A) The sum of Two Million Eight Hundred Eighty-Six Thousand Six
4 Hundred Sixty-Four and No/100 (\$2,886,664.00) Dollars is hereby allocated out of the total
5 appropriation from the state general fund made in Section 1 of this Act to the Joint
6 Legislative Committee on the Budget, to be used solely for the operations of the Legislative
7 Fiscal Office and in particular to pay the expenses thereof, including the salaries and
8 expenses of its employees, the cost of equipment, and all other expenses incurred by said
9 office in connection with the operation thereof during the 2015-2016 Fiscal Year. The
10 operations and functions of the Legislative Fiscal Office shall be under the direction and
11 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant
12 services shall be approved by the Legislative Budgetary Control Council and the Joint
13 Legislative Committee on the Budget.

14 (B) The legislative fiscal officer shall warrant on the state treasurer for the allocation
15 provided by this Section, and the warrant shall be paid by the state treasurer out of the state
16 general fund. The funds so drawn shall be disbursed only in accordance with a budget
17 approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary
18 Control Council.

19 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any
20 portion of the funds previously appropriated or interest earnings on such appropriations and
21 any self-generated revenues that are not required for the expenses of the 2015 Regular
22 Session of the Legislature, including printing and all expenses in connection therewith, are
23 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during
24 the 2015-2016 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
25 shall be returnable to the state general fund on or before October 1, 2016.

26 Section 5.(A) The sum of One Million One Hundred Thirty-One Thousand Four
27 Hundred One and No/100 (\$1,131,401.00) Dollars is hereby allocated out of the total
28 appropriation from the state general fund made in Section 1 of this Act to the Louisiana State
29 Law Institute, to pay the expenses thereof, including the salaries and expenses of its

1 employees, the cost of equipment, and all other expenses incurred by said office in
2 connection with the operation thereof during the 2015-2016 Fiscal Year.

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

8 (C) Any portion of the funds herein allocated to the Louisiana State Law Institute,
9 any portion of the funds previously appropriated or interest earnings on such appropriations
10 and any self-generated revenues may be used to pay expenses of the Louisiana State Law
11 Institute during the 2015-2016 Fiscal Year; however, all funds remaining unexpended and/or
12 unencumbered shall be returnable to the state general fund on or before October 1, 2016.

13 Section 6.(A) The sum of Eight Million Five Hundred Fifty-Seven Thousand One
14 Hundred Twenty-Five and No/100 (\$8,557,125.00) Dollars is hereby allocated out of the
15 total appropriation from the state general fund made in Section 1 of this Act and the balance
16 on July 2, 2015 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular
17 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which
18 may be used to pay the expenses thereof, including salaries and expenses of certain
19 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.
20 Poynter Legislative Research Library, contracts for professional services, mileage and per
21 diem expenses of the interim activities of joint legislative committees created by statute or
22 by the presiding officers of the Senate and the House of Representatives to which no specific
23 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-
24 chairmen of the council, the cost of construction, maintenance, repair, improvements,
25 renovations, and access to the capitol building, capitol annex building, building for
26 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,
27 maintenance, and repair of furniture and equipment, audio-visual systems, information
28 networks, technological enhancements, technical support, and computer equipment and
29 services, as jointly approved by the president of the Senate and the speaker of the House of
30 Representatives, the cost of equipment, dues to legislative associations, to pay costs to

1 maintain actuarial integrity of the state retirement system affected by the inclusion of certain
2 legislative employees, and all other expenses incurred by said council in connection with the
3 operation thereof during the 2015-2016 Fiscal Year.

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

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

17 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control
18 Council, any portion of the funds previously appropriated, or interest earnings on any such
19 appropriations, and self-generated revenues are hereby appropriated and may be used to pay
20 any expenses of the Legislative Budgetary Control Council during the 2015-2016 Fiscal
21 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable
22 to the state general fund on or before October 1, 2016.

23 Section 7. In accordance with R.S. 39:51(D), a comparative statement of the existing
24 operating budget for the 2014-2015 fiscal year and the appropriation for 2015-2016 fiscal
25 year from the state general fund is as follows:

26	Entity	FY 2014-2015	FY 2015-2016
27	House of Representatives	\$ 28,998,300	\$ 28,998,300
28	Senate	\$ 21,764,498	\$ 21,764,498
29	Legislative Auditor	\$ 10,014,823	\$ 10,014,823
30	Legislative Fiscal Office	\$ 2,886,664	\$ 2,886,664

1	Louisiana State Law Institute	\$ 1,131,401	\$ 1,131,401
2	Legislative Budgetary Control		
3	Council	\$ 8,557,125	\$ 8,557,125
4	Total state general fund	\$ 73,352,811	\$ 73,352,811

5 The Legislative Auditor for FY 2014-2015 was appropriated self-generated funds in
6 the amount of \$24,954,064 and for FY 2015-2016 is appropriated self-generated funds in the
7 amount of \$24,954,064. The Legislative Budgetary Control Council for FY 2014-2015 was
8 appropriated the balance of the technology fund on July 2, 2014 and for FY 2015-2016 is
9 appropriated the balance on July 2, 2015 of said fund.

10 Section 8. This Act shall become effective on July 1, 2015; if vetoed by the governor
11 and subsequently approved by the legislature, this Act shall become effective on July 1,
12 2015, 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: _____