

Regular Session, 2008

SENATE BILL NO. 653

BY SENATOR DUPLESSIS

LEGISLATORS. Provides for a pay raise for legislative assistants and additional staffing for senators. (1/1/09)

1 AN ACT

2 To amend and reenact R.S. 24:31.4(A) and 31.5(A)(1), (2) and (4), relative to the legislature;
3 to provide with respect to the funds available for legislative assistants of members
4 of the legislature; to provide for additional office clerical staff for senators; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 24:31.4(A) and 31.5(A)(1), (2) and (4) are hereby amended and
8 reenacted to read as follows:

9 §31.4. Members' office allowance

10 A. In addition to the salary, per diem, and all other allowances provided by
11 law for members of the legislature, each member of the legislature ~~legislature~~ **House of**
12 **Representatives** shall be paid a monthly expense allowance in the amount of ~~five~~
13 **one thousand five** hundred dollars per month, **and each member of the Senate**
14 **shall be paid a monthly expense allowance in the amount of three thousand**
15 **dollars**, or so much thereof as may be necessary, for payment of rent for office space
16 in a parish or parishes which he represents, and for payment of the cost of
17 maintaining utilities in said office or offices and for other expenses related to the

1 holding or conduct of their office.

2 * * *

3 §31.5. Legislative assistants for members

4 A.(1) Each member of the legislature may employ one or more legislative
5 assistants, who shall be employed as unclassified state employees. The total salary
6 of such assistant or assistants shall not exceed the applicable monthly salary as
7 follows:

	MONTHLY	
STEP		SALARY
10 Base	\$ 2,000	<u>\$2,900</u>
11 First	\$ 2,083	<u>\$2,983</u>
12 Second	\$ 2,169	<u>\$3,069</u>
13 Third	\$ 2,259	<u>\$3,159</u>
14 Fourth	\$ 2,352	<u>\$3,252</u>
15 Fifth	\$ 2,450	<u>\$3,350</u>
16 Sixth	\$ 2,551	<u>\$3,451</u>
17 Seventh	\$ 2,657	<u>\$3,557</u>
18 Eighth	\$ 2,767	<u>\$3,667</u>
19 Ninth	\$ 2,881	<u>\$3,781</u>
20 Maximum	\$ 3,000	<u>\$3,900</u>

21 **(2) In addition to the legislative assistant or assistants provided for in**
22 **Paragraph (1) of this Subsection, each member of the Senate may employ one**
23 **or more office clerical staff, who shall be employed as unclassified state**
24 **employees. The total salary of such clerical staff shall not exceed the applicable**
25 **monthly salary as follows:**

	<u>MONTHLY</u>	
<u>STEP</u>		<u>SALARY</u>
28 <u>Base</u>		<u>\$ 2,000</u>
29 <u>First</u>		<u>\$ 2,083</u>

1	<u>Second</u>	<u>\$ 2,169</u>
2	<u>Third</u>	<u>\$ 2,259</u>
3	<u>Fourth</u>	<u>\$ 2,352</u>
4	<u>Fifth</u>	<u>\$ 2,450</u>
5	<u>Sixth</u>	<u>\$ 2,551</u>
6	<u>Seventh</u>	<u>\$ 2,657</u>
7	<u>Eighth</u>	<u>\$ 2,767</u>
8	<u>Ninth</u>	<u>\$ 2,881</u>
9	<u>Maximum</u>	<u>\$ 3,000</u>

10 ~~(2)~~ (3)(a) Annually, on July first, the amount for each step provided for
11 in Paragraphs (1) and (2) of this Subsection shall be adjusted when, and to the
12 extent of, any increase in the Consumer Price Index for All Urban Consumers
13 All Items determined by the Bureau of Labor Statistics of the United States
14 Department of Labor based on the preceding calendar year.

15 (b) ~~On and after July 1, 1998, any~~ Any legislator who has the maximum
16 salary step available to him for his legislative assistants **and office clerical staff**
17 shall have available a step increase of four percent per year for the salary available
18 for his legislative assistants **and office clerical staff**.

19 ~~(3)~~(4) Each legislator shall determine the qualification requirements of his
20 ~~assistant or assistants~~ **and office clerical staff**. However, no person who is a member
21 of the family of the legislator may serve as his legislative assistant **or office clerical**
22 **staff**.

23 ~~(4)~~(5)(a) Each legislative assistant **and office clerical staff** shall perform
24 such duties as the legislator may assign and shall be paid a salary fixed by the
25 legislator, provided that the salary for any one legislative assistant **or office clerical**
26 **staff** shall not exceed ~~two thousand dollars per month~~ **the monthly salary for the**
27 **base step** plus the equivalent of one step for each year of his employment as a
28 legislative assistant or **office clerical staff, or** the equivalent of one step for each
29 year of the employing legislator's service as a legislator, at the option of the

1 employing legislator.

2 (b) When more than one assistant **or clerical staff** is employed by a
3 legislator, the total salary shall not exceed ~~two thousand dollars per month~~ **the**
4 **monthly salary base step** plus the equivalent of one step for each year of
5 employment as a legislative assistant or **office clerical staff, or** the equivalent of one
6 step for each year of the employing legislator's service as a legislator, at the option
7 of the employing legislator, by all of these assistants **and clerical staff**. When
8 part-time help or contractual services are used, the total payments shall not exceed
9 an amount equal to the base salary of a legislative assistant **or office clerical staff,**
10 **as appropriate based on the duties of the part-time help or contractual services.**

11 ~~(5)~~**(6)** The salary of each legislative assistant **and office clerical staff** shall
12 be paid from the funds of the respective houses, withdrawn from the state treasury
13 and deposited in the manner provided in R.S. 24:31.1, and shall be paid to each
14 individual legislative assistant **and office clerical staff** whose employment and
15 salary have been certified by a member to his respective presiding officer. Payment
16 shall be by check signed by the speaker of the House of Representatives as to the
17 salary of legislative assistants to House members, and by another member of the
18 Senate designated by the president of the Senate and countersigned by the president
19 of the Senate as to the salary of legislative assistants **and office clerical staff** to
20 Senate members.

21 ~~(6)~~**(7)** Nothing herein shall prohibit the use of contractual secretarial services
22 in lieu of one or more legislative assistants **or office clerical staff**, nor shall anything
23 preclude two or more legislators from cooperatively employing an assistant or
24 assistants, **or two or more Senators from cooperatively employing office clerical**
25 **staff**, who may be paid in excess of the salary limits prescribed above, but not in
26 excess of the salary limits available to the cooperating legislators.

27 B. Each legislator who employs one or more legislative assistants **or office**
28 **clerical staff** as provided in this Section shall notify the presiding officer of his
29 house in writing as to the name of each such assistant **and office clerical staff** and

1 the salary to be paid. Any change of person or salary shall be reported to the
2 presiding officer of his house within ten days after such change. The respective
3 presiding officer shall hold such reports during the term of office of the legislator
4 involved.

5 C.(1) Each legislative assistant **and office clerical staff** employed full time
6 and who either has at least one year of experience or receives at least eighty percent
7 of the total compensation available to the employing legislator for his assistants **and**
8 **office clerical staff**, including all step increases authorized by law, may participate
9 in the state's group life, health, and hospitalization insurance program and the state
10 employees' retirement system. Any legislative assistant **or office clerical staff** who
11 does not meet the criteria set forth herein shall not be eligible to participate in these
12 or any other benefits accruing under law to state employees.

13 (2) All legislative assistants **and office clerical staff** shall be eligible for
14 workers' compensation coverage as state employees immediately upon employment.

15 Section 2. This Act shall become effective on January 1, 2009.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

Present law provides that in addition to salary, per diem, and all other allowances, each member of the legislature shall be paid an expense allowance of \$500 per month for office space, utilities, and for other expenses related to holding or conduct of their office. Proposed law retains present law but increases the amount of the office allowance to \$1,500 per month for members of the House of Representatives and \$3,000 for members of the Senate.

Present law provides that each legislator may employ one or more legislative assistants, who shall be employed as unclassified state employees. Present law provides that the total salary of such assistant or assistants shall not exceed the applicable monthly salary as follows:

	MONTHLY SALARY
STEP	
Base	\$ 2,000
First	\$ 2,083
Second	\$ 2,169
Third	\$ 2,259
Fourth	\$ 2,352
Fifth	\$ 2,450
Sixth	\$ 2,551
Seventh	\$ 2,657
Eighth	\$ 2,767
Ninth	\$ 2,881

Maximum \$ 3,000

Proposed law retains present law but increases the applicable monthly salary of legislative assistants as follows:

	MONTHLY SALARY
STEP	
Base	\$ 2,900
First	\$ 2,983
Second	\$ 3,069
Third	\$ 3,159
Fourth	\$ 3,252
Fifth	\$ 3,350
Sixth	\$ 3,451
Seventh	\$ 3,557
Eighth	\$ 3,667
Ninth	\$ 3,781
Maximum	\$ 3,900

Proposed law provides relative to annual increases based on the Consumer Price Index (CPI) for All Urban Consumers.

Proposed law provides that in addition to legislative assistants, each member of the Senate may employ one or more office clerical staff who shall be employed as unclassified state employees. Proposed law provides that the total salary of such assistant or assistants shall not exceed the applicable monthly salary as follows:

	MONTHLY SALARY
STEP	
Base	\$ 2,000
First	\$ 2,083
Second	\$ 2,169
Third	\$ 2,259
Fourth	\$ 2,352
Fifth	\$ 2,450
Sixth	\$ 2,551
Seventh	\$ 2,657
Eighth	\$ 2,767
Ninth	\$ 2,881
Maximum	\$ 3,000

Proposed law provides that annually, on July 1, the amount for each step provided for in proposed law shall be adjusted based on any increase in the Consumer Price Index for All Urban Consumers All Items as determined by the Bureau of Labor Statistics of the United States Department of Labor based on the preceding calendar year.

Present law provides that on and after 7/1/98 any legislator who has the maximum salary step available to him for his legislative assistants shall have available a step increase of four percent per year for the salary available for his legislative assistants. Proposed law retains present law but deletes the deadline of 7/1/98 and makes present law applicable to the office clerical staff provided for by proposed law.

Present law provides that each legislator shall determine the qualification requirements of his legislative assistants, but no person who is a member of the family of the legislator may serve as his legislative assistant. Proposed law retains present law and makes it applicable to Senator's office clerical staff in addition to legislative assistants.

Present law provides that each legislative assistant shall perform such duties as the legislator

may assign and shall be paid a salary fixed by the legislator, provided that the salary for any one legislative assistant shall not exceed \$2,000 per month plus the equivalent of one step for each year of his employment as a legislative assistant or the equivalent of one step for each year of the employing legislator's service as a legislator, at the option of the employing legislator. Proposed law retains present law but makes it applicable also to Senators' office clerical staff, and provides that the salary for any one legislative assistant shall not exceed the monthly salary for the base step plus the equivalent of one step for each year of his employment as a legislative assistant or the equivalent of one step for each year of the employing legislator's service as a legislator, at the option of the employing legislator.

Present law provides that when more than one assistant is employed by a legislator, the total salary shall not exceed \$2,000 plus the equivalent of one step for each year of employment as a legislative assistant or the equivalent of one step for each year of the employing legislator's service as a legislator, at the option of the employing legislator, by all of these assistants. Proposed law retains present law but makes it applicable also to Senators' office clerical staff, and provides that the total monthly salary for all assistants and clerical staff shall not exceed the monthly salary base step plus the equivalent of one step for each year of employment as a legislative assistant or clerical staff, or the equivalent of one step for each year of the employing legislator's service as a legislator, at the option of the employing legislator, by all of these assistants and clerical staff.

Present law provides that when part-time help or contractual services are used, the total payments shall not exceed an amount equal to the base salary of a legislative assistant. Proposed law retains present law but makes it applicable also to office clerical staff.

Present law provides that the salary of each legislative assistant shall be paid from the funds of the respective houses, withdrawn from the state treasury and deposited in the manner provided in R.S. 24:31.1, and shall be paid to each individual legislative assistant whose employment and salary have been certified by a member to his respective presiding officer. Payment shall be by check signed by the speaker of the House of Representatives as to the salary of legislative assistants to House members, and by another member of the Senate designated by the president of the Senate and countersigned by the president of the Senate as to the salary of legislative assistants to Senate members. Proposed law retains present law and makes it applicable also to Senators' office clerical staff.

Present law provides that present law shall not prohibit the use of contractual secretarial services in lieu of one or more legislative assistants, nor does present law preclude two or more legislators from cooperatively employing an assistant or assistants, who may be paid in excess of the salary limits prescribed above, but not in excess of the salary limits available to the cooperating legislators. Proposed law retains present law and makes it applicable also to Senators' office clerical staff.

Proposed law provides that each legislator who employs one or more legislative assistants shall notify the presiding officer of his house in writing as to the name of each such assistant and the salary to be paid. Present law provides that any change of person or salary shall be reported to the presiding officer of his house within ten days after such change. The respective presiding officer shall hold such reports during the term of office of the legislator involved. Proposed law retains present law and makes it applicable also to Senators' office clerical staff.

Present law provides that each legislative assistant who is employed full time and who either has at least one year of experience or receives at least eighty percent of the total compensation available to the employing legislator for his assistants, including all step increases authorized by law, may participate in the state's group life, health, and hospitalization insurance program and the state employees' retirement system. Present law provides that any legislative assistant who does not meet the criteria set forth herein shall not be eligible to participate in these or any other benefits accruing under law to state employees. Proposed law retains present law and makes it applicable also to Senators' office clerical

staff.

Present law provides that all legislative assistants shall be eligible for workers' compensation coverage as state employees immediately upon employment. Proposed law retains present law and makes it applicable also to Senators' office clerical staff.

Effective January 1, 2009.

(Amends R.S. 24:31.5(A)(1), (2) and (4))