

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 (C) and 31.5, relative to the legislature; to  
3 provide with respect to the funds available for legislative assistants of members of  
4 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 (C) and 31.5 are hereby amended and reenacted to  
8 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 hundred dollars per month, **and each member of the Senate shall be paid a**  
14 **monthly expense allowance in the amount of one thousand dollars,** or so much  
15 thereof as may be necessary, for payment of rent for office space in a parish or  
16 parishes which he represents, and for payment of the cost of maintaining utilities in  
17 said office or offices and for other expenses related to the holding or conduct of their

1 office.

2 \* \* \*

3 C. The allowance provided in Subsection A shall be withdrawn from the  
4 treasury and paid to the persons entitled thereto in the same manner as is provided  
5 by law for the salary provided in R.S. 24:31.1. Each member shall be required to file  
6 with the presiding officer, prior to payment of the allowance each month, an itemized  
7 statement of expenses, and appropriate invoices or receipts supporting the same. The  
8 amount of the allowance paid to each member each month shall be equal to the total  
9 amount of the itemized statement, provided that in no case shall the total  
10 reimbursement **for each member of the House of Representatives** exceed five  
11 hundred dollars, **and in no case shall the total reimbursement for each member**  
12 **of the Senate exceed one thousand dollars.**

13 \* \* \*

14 §31.5. Legislative assistants for members

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

	MONTHLY	
STEP	SALARY	
Base	\$ 2,000	<b><u>\$2,900</u></b>
First	\$ 2,083	<b><u>\$2,983</u></b>
Second	\$ 2,169	<b><u>\$3,069</u></b>
Third	\$ 2,259	<b><u>\$3,159</u></b>
Fourth	\$ 2,352	<b><u>\$3,252</u></b>
Fifth	\$ 2,450	<b><u>\$3,350</u></b>
Sixth	\$ 2,551	<b><u>\$3,451</u></b>
Seventh	\$ 2,657	<b><u>\$3,557</u></b>
Eighth	\$ 2,767	<b><u>\$3,667</u></b>

1	Ninth	\$ 2,881	<b><u>\$3,781</u></b>
2	Maximum	\$ 3,000	<b><u>\$3,900</u></b>

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

	<u>STEP</u>		<u>MONTHLY SALARY</u>
8			
9	<u>Base</u>		<u>\$ 2,000</u>
10	<u>First</u>		<u>\$ 2,083</u>
11	<u>Second</u>		<u>\$ 2,169</u>
12	<u>Third</u>		<u>\$ 2,259</u>
13	<u>Fourth</u>		<u>\$ 2,352</u>
14	<u>Fifth</u>		<u>\$ 2,450</u>
15	<u>Sixth</u>		<u>\$ 2,551</u>
16	<u>Seventh</u>		<u>\$ 2,657</u>
17	<u>Eighth</u>		<u>\$ 2,767</u>
18	<u>Ninth</u>		<u>\$ 2,881</u>
19	<u>Maximum</u>		<u>\$ 3,000</u>

20           ~~(2)~~ **(3)(a) Annually, on July first, the amount for each step provided for**  
21           **in Paragraphs (1) and (2) of this Subsection shall be adjusted when, and to the**  
22           **extent of, any increase in the Consumer Price Index for All Urban Consumers**  
23           **All Items determined by the Bureau of Labor Statistics of the United States**  
24           **Department of Labor based on the preceding calendar year.**

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

1           ~~(3)~~**(4)** Each legislator shall determine the qualification requirements of his  
2           assistant~~or assistants~~ **and office clerical staff**. However, no person who is a member  
3           of the family of the legislator may serve as his legislative assistant **or office clerical**  
4           **staff**.

5           ~~(4)~~**(5)**(a) Each legislative assistant **and office clerical staff** shall perform  
6           such duties as the legislator may assign and shall be paid a salary fixed by the  
7           legislator, provided that the salary for any one legislative assistant **or office clerical**  
8           **staff** shall not exceed ~~two thousand dollars per month~~ **the monthly salary for the**  
9           **base step** plus the equivalent of one step for each year of his employment as a  
10          legislative assistant or **office clerical staff, or** the equivalent of one step for each  
11          year of the employing legislator's service as a legislator, at the option of the  
12          employing legislator.

13          (b) When more than one assistant **or clerical staff** is employed by a  
14          legislator, the total salary shall not exceed ~~two thousand dollars per month~~ **the**  
15          **monthly salary base step** plus the equivalent of one step for each year of  
16          employment as a legislative assistant or **office clerical staff, or** the equivalent of one  
17          step for each year of the employing legislator's service as a legislator, at the option  
18          of the employing legislator, by all of these assistants **and clerical staff**. When  
19          part-time help or contractual services are used, the total payments shall not exceed  
20          an amount equal to the base salary of a legislative assistant **or office clerical staff,**  
21          **as appropriate based on the duties of the part-time help or contractual services.**

22          ~~(5)~~**(6)** The salary of each legislative assistant **and office clerical staff** shall  
23          be paid from the funds of the respective houses, withdrawn from the state treasury  
24          and deposited in the manner provided in R.S. 24:31.1, and shall be paid to each  
25          individual legislative assistant **and office clerical staff** whose employment and  
26          salary have been certified by a member to his respective presiding officer. Payment  
27          shall be by check signed by the speaker of the House of Representatives as to the  
28          salary of legislative assistants to House members, and by another member of the  
29          Senate designated by the president of the Senate and countersigned by the president

1 of the Senate as to the salary of legislative assistants **and office clerical staff** to  
2 Senate members.

3 ~~(6)~~**(7)** Nothing herein shall prohibit the use of contractual secretarial services  
4 in lieu of one or more legislative assistants **or office clerical staff**, nor shall anything  
5 preclude two or more legislators from cooperatively employing an assistant or  
6 assistants, **or two or more Senators from cooperatively employing office clerical**  
7 **staff**, who may be paid in excess of the salary limits prescribed above, but not in  
8 excess of the salary limits available to the cooperating legislators.

9 B. Each legislator who employs one or more legislative assistants **or office**  
10 **clerical staff** as provided in this Section shall notify the presiding officer of his  
11 house in writing as to the name of each such assistant **and office clerical staff** and  
12 the salary to be paid. Any change of person or salary shall be reported to the  
13 presiding officer of his house within ten days after such change. The respective  
14 presiding officer shall hold such reports during the term of office of the legislator  
15 involved.

16 C.(1)**(a)** Each legislative assistant employed full time and who either has at  
17 least one year of experience or receives at least eighty percent of the total  
18 compensation available to the employing legislator for his **legislative** assistants,  
19 including all step increases authorized by law, may participate in the state's group  
20 life, health, and hospitalization insurance program and the state employees'  
21 retirement system. Any legislative assistant who does not meet the criteria set forth  
22 herein shall not be eligible to participate in these or any other benefits accruing under  
23 law to state employees.

24 **(b) Each office clerical staff employed full time and who either has at**  
25 **least one year of experience or receives at least eighty percent of the total**  
26 **compensation available to the employing legislator for his office clerical staff,**  
27 **including all step increases authorized by law, may participate in the state's**  
28 **group life, health, and hospitalization insurance program and the state**  
29 **employees' retirement system. Any office clerical staff who does not meet the**

1            **criteria set forth herein shall not be eligible to participate in these or any other**  
 2            **benefits accruing under law to state employees.**

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

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

The original instrument was prepared by Alden A. Clement, Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jay Lueckel.

#### DIGEST

Duplessis (SB 653)

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 expense allowance for members of the House of Representatives and increases monthly expenses by \$500 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 one, 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. 24:31.4(A) and (C) and 31.5)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Finance to the original bill.

1. Eliminates the expense allowance increase for members of the House of Representatives - retains existing \$500 per month allowance.
2. Limits expense allowance increase for Senate members to \$500 per month.

3. Clarifies eligibility for certain group life, health, and hospitalization coverage for legislative assistants and office clerical staff.