

2022 Regular Session

HOUSE BILL NO. 756

BY REPRESENTATIVE SCHEXNAYDER

PUBLIC BLDGS/GROUNDS-ST: Provides relative to certain public buildings and grounds

1 AN ACT

2 To enact R.S. 49:150.3, relative to the state capitol complex; to provide for the maintenance
3 and care of certain buildings and grounds within the state capitol complex; to
4 establish a special fund for such purposes; to provide for deposits into and use of
5 monies in the fund; to provide for related contracts and agreements; to provide for
6 an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 49:150.3 is hereby enacted to read as follows:

9 §150.3. State capitol, capitol annex, pentagon barracks buildings, Old Arsenal
10 Magazine Museum; grounds; special fund

11 A. Notwithstanding any other provision of law to the contrary, the office of
12 lieutenant governor, through the Department of Culture, Recreation and Tourism,
13 shall have charge of and be responsible for the maintenance of the state capitol and
14 any additions or appurtenances thereto, pentagon barracks buildings, capitol annex,
15 the Old Arsenal Magazine Museum, and the grounds adjacent to those buildings,
16 subject to the authority and direction of the speaker of the House of Representatives
17 and the president of the Senate.

18 B. In the performance of the duties and responsibilities established in
19 Subsection A of this Section, the office of lieutenant governor through the

1 Department of Culture, Recreation and Tourism shall repair, maintain, and, as
2 appropriate, enhance the buildings and grounds for the enjoyment, inspiration,
3 education, and safety of all people who visit the buildings and grounds.

4 C.(1) By February fifteenth of each year, the lieutenant governor shall
5 submit a plan and a proposed budget for the improvement, enhancement, repair, and
6 maintenance of the buildings and grounds to the Legislative Budgetary Control
7 Council for review and approval.

8 (2) After the yearly plan and budget are approved by the Legislative
9 Budgetary Control Council, the speaker of the House of Representatives and the
10 president of Senate, acting jointly, may approve projects in accordance with the plan
11 and emergency maintenance and repair needs if and as required by unforeseen
12 circumstances.

13 D.(1) The Capitol Complex Maintenance and Enhancement Fund, hereafter
14 in this Subsection referred to as the "fund", is hereby established in the state treasury
15 as a special fund.

16 (2)(a) The monies in the fund are subject to an annual appropriation by the
17 legislature and may only be used for the purposes established in this Section and as
18 approved by the Legislative Budgetary Control Council. The monies in the fund
19 shall be invested by the treasurer in the same manner as monies in the state general
20 fund and all interest earned shall be deposited and credited to the fund. All
21 unexpended or unencumbered monies remaining in the fund at the end of the fiscal
22 year shall remain in the fund.

23 (b) The legislature may appropriate, allocate, or transfer additional monies
24 to the fund if it deems necessary to accomplish the purposes of the fund.

25 (c) The fund may receive and be credited any other monies designated for
26 the fund including donations, gifts, or grants.

27 (3) Monies in the fund shall be available for appropriation to and use by the
28 office of lieutenant governor through the Department of Culture, Recreation and
29 Tourism and the Legislative Budgetary Control Council. Such appropriations shall

1 be used solely to fund construction, improvements, maintenance, renovations,
2 repairs, and necessary additions or enhancements to the state capitol and any
3 additions or appurtenances thereto, pentagon barracks buildings, capitol annex, the
4 Old Arsenal Magazine Museum, and the grounds adjacent to those buildings.

5 Section 2.(A) On the effective date of this Act, the state treasurer is hereby
6 authorized and directed to transfer any and all funds allocated to the division of
7 administration or any agency thereof to carry out the functions, duties, and activities
8 transferred to the office of lieutenant governor through the Department of Culture,
9 Recreation and Tourism and the Legislative Budgetary Control Council by the provisions
10 of this Act to the Capitol Complex Maintenance and Enhancement Fund for use in carrying
11 out the functions, duties, and activities in accordance with the provisions of this Act.

12 (B) The terms and conditions of the cooperative endeavor agreement entered into
13 with the Department of Veterans Affairs regarding the Old Arsenal Magazine Museum and
14 the Louisiana Veterans Memorial Park shall be retained in the manner set forth in the
15 agreement.

16 (C) Any contract entered into with the division of administration or any agency
17 thereof for the functions, duties, and activities transferred to the office of lieutenant governor
18 through the Department of Culture, Recreation and Tourism and the Legislative Budgetary
19 Control Council by the provisions of this Act shall be deemed to have been transferred and
20 assigned to the office of lieutenant governor and shall be subject to the directives of the
21 presiding officers of the legislature and the Legislative Budgetary Control Council in the
22 manner provided by this Act, without the necessity of contractual amendment.

23 Section 3. This Act shall become effective upon signature by the governor or, if not
24 signed by the governor, upon expiration of the time for bills to become law without signature
25 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
26 vetoed by the governor and subsequently approved by the legislature, this Act shall become
27 effective on the day following such approval.

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 756 Original

2022 Regular Session

Schexnayder

Abstract: Transfers responsibility of the maintenance of specified buildings and grounds in the capitol complex to the Lt. governor through the Dept. of Culture, Recreation and Tourism subject to the authority and direction of the speaker of the House and the president of the Senate and creates a special fund for such purposes.

Present law (R.S. 49:150.1) provides for and specifies the allocation and use of space within the state capitol, pentagon court buildings, and the Old Arsenal Museum, including the subbasement, basement, and all floors of the state capitol, all buildings in the pentagon court, and the Old Arsenal Museum. Provides that except as otherwise provided in present law, the superintendent of state buildings will have charge of the management, operation, and maintenance of the state capitol building, pentagon court buildings, the Old Arsenal Museum, and the capitol complex grounds. Present law provides that in the performance of such duties, the superintendent will be under the authority and direction of the governor, the speaker of the House of Representatives, and the president of the Senate.

Proposed law provides notwithstanding present law that the office of the Lt. governor through the Dept. of Culture, Recreation and Tourism (CRT) shall have charge of and be responsible for the maintenance of the state capitol and any additions or appurtenances thereto, pentagon barracks buildings, capitol annex, the Old Arsenal Magazine Museum, and the grounds adjacent to those buildings, subject to the authority and direction of the speaker of the House and the president of the Senate. Provides that office of the Lt. governor through CRT shall repair, maintain, and, as appropriate, enhance the buildings and grounds for the enjoyment, inspiration, education, and safety of all people who visit the buildings and grounds. Requires the Lt. governor to submit a plan and a proposed budget for such functions to the Legislative Budgetary Control Council (LBCC) by Feb. 15th of each year. Provides after approval of the plan and budget, the speaker and the president may approve projects in accordance with the plan and emergency maintenance and repair needs.

Proposed law establishes the Capitol Complex Maintenance and Enhancement Fund as a special fund in the state treasury. Provides that monies in the fund shall be subject to appropriation and only used for the purposes established proposed law and as approved by the LBCC. Provides that the monies in the fund shall be invested by the treasurer in the same manner as monies in the state general fund, all interest earned shall be deposited and credited to the fund, and all unexpended or unencumbered monies remaining in the fund at the end of the fiscal year shall remain in the fund.

Proposed law directs the state treasurer to transfer any and all funds allocated to the division of administration or any agency thereof to carry out the functions, duties, and activities transferred to the office of Lt. governor through CRT and the LBCC by proposed law to the Capitol Complex Maintenance and Enhancement Fund. Provides that the cooperative endeavor agreement entered into with the Dept. of Veterans Affairs regarding the Old Arsenal Magazine Museum and the La. Veterans Memorial Park shall be retained in the manner set forth in the agreement. Provides that any contracts entered into with the division of administration or any agency thereof for the functions, duties, and activities transferred by proposed law shall be deemed to have been transferred and assigned to the office of Lt.

governor and shall be subject to the directives of the presiding officers of the legislature and the LBCC in the manner provided by proposed law without the necessity of contractual amendment.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 49:150.3)