

ACT No. 838

HOUSE BILL NO. 1063

BY REPRESENTATIVES TUCKER, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, FRANKLIN, GALLOT, GEYMANN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON, HENRY, HILL, HINES, HOFFMANN, HONEY, HOWARD, HUTTER, GIROD JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM JONES, KATZ, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MARCHAND, MCVEA, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON

1 AN ACT

2 To amend and reenact R.S. 24:31.5, 512, 513(D)(2), and 553(C), relative to the legislature;
3 to provide relative to certain legislative employees; to provide relative to the salary
4 of certain legislative employees; to provide relative to the duties of the Legislative
5 Budgetary Control Council relative thereto; to provide relative to eligibility for
6 benefits for certain legislative employees; to provide eligibility criteria for
7 participation in the state group benefits program, the state employees' retirement
8 system, and other benefits for legislative assistants; to provide relative to the
9 employment of the legislative actuary by the legislative auditor; to provide for the
10 powers, functions, and duties of legislative agencies and officers relative to the
11 legislative actuary; and to provide for related matters.

12 Notice of intention to introduce this Act has been published
13 as provided by Article X, Section 29(C) of the Constitution
14 of Louisiana.

15 Be it enacted by the Legislature of Louisiana:

1 Section 1. R.S. 24:31.5, 512, 513(D)(2), and 553(C) are hereby amended and
2 reenacted to read as follows:

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:~~

8 MONTHLY

9 ~~STEP SALARY~~

10 ~~Base \$ 2,000~~

11 ~~First \$ 2,083~~

12 ~~Second \$ 2,169~~

13 ~~Third \$ 2,259~~

14 ~~Fourth \$ 2,352~~

15 ~~Fifth \$ 2,450~~

16 ~~Sixth \$ 2,551~~

17 ~~Seventh \$ 2,657~~

18 ~~Eighth \$ 2,767~~

19 ~~Ninth \$ 2,881~~

20 ~~Maximum \$ 3,000~~

21 (2) ~~On and after July 1, 1998, any legislator who has the maximum salary~~
22 ~~step available to him for his legislative assistants shall have available a step increase~~
23 ~~of four percent per year for the salary available for his legislative assistants. The~~
24 ~~Legislative Budgetary Control Council shall establish and provide for the~~
25 ~~implementation of a salary schedule for legislative assistants. The Legislative~~
26 ~~Budgetary Control Council may make adjustments to the salary schedule for~~
27 ~~legislative assistants as necessary.~~

28 (3) Each legislator shall determine the qualification requirements of his
29 legislative assistant or assistants. However, no person who is a member of the family
30 of the legislator may serve as his legislative assistant.

1 (4)(a) Each legislative assistant shall perform such duties as the legislator
 2 may assign and shall be paid a salary fixed by the legislator, provided that the salary
 3 for any one legislative assistant shall not exceed ~~two thousand dollars per month~~ the
 4 base salary established by the Legislative Budgetary Control Council plus the
 5 equivalent of one step for each year of his employment as a legislative assistant ~~or~~
 6 ~~the equivalent of one step for each year of the employing legislator's service as a~~
 7 ~~legislator, at the option of the employing legislator.~~

8 (b) When more than one legislative assistant is employed by a legislator, the
 9 total salary for all legislative assistants of a legislator shall not exceed ~~two thousand~~
 10 ~~dollars per month~~ the base salary established by the Legislative Budgetary Control
 11 Council plus the equivalent of one step for each year of employment as a legislative
 12 assistant of the legislative assistant receiving the highest salary, or the equivalent of
 13 one step for each year of the employing legislator's service as a legislator, at the
 14 option of the employing legislator, ~~by all of these assistants. When part-time help~~
 15 ~~or contractual services are used, the total payments shall not exceed an amount equal~~
 16 ~~to the base salary of a legislative assistant. However, no legislative assistant shall~~
 17 ~~be paid a salary that exceeds the base salary established by the Legislative Budgetary~~
 18 ~~Control Council plus the equivalent of one step for each year of his employment as~~
 19 ~~a legislative assistant.~~

20 (c) The Legislative Budgetary Control Council shall also provide a detailed
 21 mechanism to factor in other governmental experience into the number of years of
 22 experience of a legislative assistant for determining that legislative assistant's salary.

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

1 ~~countersigned~~ by the president of the Senate as to the salary of legislative assistants
2 to Senate members. Facsimile signatures may be used.

3 (6) Nothing ~~herein~~ in this Section shall prohibit the use of contractual
4 secretarial services in lieu of one or more legislative assistants, ~~nor shall anything~~
5 ~~preclude two or more legislators from cooperatively employing an assistant or~~
6 ~~assistants, who may be paid in excess of the salary limits prescribed above, but not~~
7 ~~in excess of the salary limits available to the cooperating legislators~~ who shall be
8 paid in accordance with the salary schedule established by the Legislative Budgetary
9 Control Council.

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

16 C.(1)(a) When a legislator employs only one legislative assistant, such
17 assistant may participate in the state's group life, health, and hospitalization
18 insurance program and the state employees' retirement system provided such
19 assistant receives at least sixty percent of the total compensation available to employ
20 the legislative assistant.

21 ~~(b) Each legislative assistant employed full time and who either has at least~~
22 ~~one year of experience or receives at least eighty percent of the total compensation~~
23 ~~available to the employing legislator for his assistants, including all step increases~~
24 ~~authorized by law~~ When a legislator employs more than one legislative assistant, the
25 primary legislative assistant may participate in the state's group life, health, and
26 hospitalization insurance program and the state employees' retirement system.
27 "Primary legislative assistant" means the legislative assistant who receives the
28 highest salary and whose salary is at least sixty percent of the total salary that such
29 assistant can be paid.

1 Section 2. Any legislative assistant employed on or before December 1, 2007, may
 2 retain the salary such legislative assistant earned as of December 1, 2007; however no such
 3 legislative assistant shall be eligible for an increase in salary until the legislative assistant
 4 is eligible to receive an increase in accordance with the salary schedule established by the
 5 Legislative Budgetary Control Council in accordance with the provisions of R.S. 24:31.5 as
 6 provided in Section 1 of this Act.

7 Section 3. The cost, if any, of any provision of this Act affecting retirement shall be
 8 funded with additional employer contributions in compliance with Article X, Section
 9 29(E)(5)(b) of the Constitution of Louisiana.

10 Section 4.A. Until the Legislative Budgetary Control Council establishes a salary
 11 schedule pursuant to the provisions of Section 1 of this Act, the provisions of R.S. 24:31.5
 12 as such provisions existed prior to the effective date of this Act shall be utilized to determine
 13 the compensation of legislative assistants.

14 B. When the Legislative Budgetary Control Council establishes a salary schedule
 15 for the compensation of legislative assistants pursuant to the provisions of Section 1 of this
 16 Act, such salary schedule shall provide for an increase above the amount established in the
 17 provisions of R.S. 24:31.5 as such provisions existed prior to the effective date of this Act.

18 Section 5. This Act shall become effective on July 1, 2008; if vetoed by the governor
 19 and subsequently approved by the legislature, this Act shall become effective on July 1,
 20 2008, 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: _____