HLS 22RS-316 REENGROSSED

2022 Regular Session

HOUSE BILL NO. 465

1

20

BY REPRESENTATIVE ZERINGUE

APPROPRIATIONS/ANCILLARY: Provides for the ancillary expenses of state government

AN ACT

2 To provide for the establishment and reestablishment of agency ancillary funds, to be 3 specifically known as internal service funds, auxiliary accounts, or enterprise funds 4 for certain state institutions, officials, and agencies; to provide for appropriation of funds for Fiscal Year 2022-2023; to provide for an effective date; and to regulate the 5 6 administration of said funds. 7 Be it enacted by the Legislature of Louisiana: 8 Section 1. There are hereby appropriated the amounts shown below, which shall be 9 payable out of the state general fund, to the extent of funds deposited, unless otherwise 10 specified, for the establishment and reestablishment of agency ancillary funds which shall 11 be specifically known as internal service funds, auxiliary accounts, or enterprise funds. The 12 monies in each fund shall be used for working capital in the conduct of business enterprises 13 rendering public service, auxiliary service, and interagency service. 14 In the conduct of each such business, receipts shall be deposited in the state treasury 15 and disbursements made by the state treasurer to the extent of the amount deposited to the 16 credit of each ancillary fund, for the current fiscal year. All funds appropriated herein shall 17 be expended in compliance with the public bid laws of the state. 18 Section 2.A. Except as otherwise provided by law or as herein otherwise provided, 19 any fund equity resulting from prior year operations shall be included as a resource of the

fund from which the ancillary fund is directly or indirectly derived.

1 B. Funds on deposit with the state treasury at the close of the fiscal year are 2 authorized to be transferred to each fund respectively, as equity for the next fiscal year. 3 All unexpended cash balances as of June 30, 2023, shall be remitted to the state 4 treasurer on or before August 14, 2023. If not reestablished in the subsequent year's Act, the 5 agency shall liquidate all assets and return all advances no later than August 14, 2023. 6 C. The program descriptions contained in this Act are not part of the law and are not 7 enacted into law by virtue of their inclusion into this Act. 8 Section 3. All money from federal, interagency transfers, statutory dedications, or 9 fees and self-generated revenues shall be available for expenditure in the amounts herein 10 appropriated. 11 Any increase in such revenues shall be available for allotment and expenditure by 12 an agency on approval of an increase in the appropriation by the commissioner of 13 administration and the Joint Legislative Committee on the Budget. Any increase in such 14 revenues for an agency without an appropriation from the respective revenue source shall 15 be incorporated into the agency's appropriation on approval of the commissioner of 16 administration and the Joint Legislative Committee on the Budget. 17 Section 4.A. The figures in parentheses following the designation of a budget entity 18 are the total authorized positions and authorized other charges positions for that entity. The 19 number of employees approved for each agency, as a result of the passage of this Act, may 20 be increased by the commissioner of administration when sufficient documentation is 21 presented and the request is deemed valid. However, any request which exceeds five 22 positions shall be approved by the commissioner of administration and the Joint Legislative 23 Committee on the Budget. 24 B. The budget request of any agency with an appropriation level of thirty million 25 dollars or more shall include within its existing table of organization positions which 26 perform the function of internal auditing, including the position of a chief audit executive. 27 The chief audit executive shall be responsible for ensuring that the internal audit function 28 adheres to the Institute of Internal Auditors, International Standards for the Professional

Practice of Internal Auditing. The chief audit executive shall maintain organizational

independence in accordance with these standards and shall have direct and unrestricted

29

30

1 access to the commission, board, secretary, or equivalent head of the agency. The chief 2 audit executive shall certify to the commission, board, secretary, or equivalent head of the 3 agency that the internal audit function conforms to the Institute of Internal Auditors, 4 International Standards for the Professional Practice of Internal Auditing. 5 Section 5. All key and supporting performance objectives and indicators for the 6 departments, agencies, programs, and budget units contained in the Governor's Executive 7 Budget Supporting Document shall be adjusted by the commissioner of administration to 8 reflect the funds appropriated therein. The commissioner of administration shall report on 9 these adjustments to the Joint Legislative Committee on the Budget each year by August 10 fifteenth. 11 Section 6. The following definition is provided for the terms of this Act: "Working 12 capital" shall be considered the excess of current assets over current liabilities on an accrual 13 basis. 14 Section 7. Should any section, subsection, clause, sentence, phrase, or part of the Act 15 for any reason be held, deemed, or construed to be unconstitutional or invalid, such decisions 16 shall not affect the remaining provisions of the Act, and the legislature hereby declares that 17 it would have passed the Act, and each section, subsection, clause, sentence, phrase, or part 18 thereof, irrespective of the fact that one or more of the sections, subsections, clauses, 19 sentences, phrases, or parts thereof, is declared unconstitutional or invalid. To this end, the 20 provisions of this Act are hereby declared severable. 21 Section 8. Internal Service Funds. These funds account for the financing of goods 22 or services provided by one department or agency to other departments or agencies of the 23 governmental unit, or to other governmental units, on a cost-reimbursement basis. Excess 24 cash funds, excluding cash funds arising from working capital advances, shall be invested 25 by the state treasurer with the interest proceeds therefrom credited to each account and shall 26 not be transferred to the state general fund. 27 Section 9. In conjunction with the continuing assessment of the existing staff, assets, 28 contracts, and facilities of each department, agency, program or budget unit's information 29 technology resources and procurement resources, upon completion of this assessment and 30 to the extent optimization of these resources will result in the projected cost savings through

HLS 22RS-316

REENGROSSED

HB NO. 465

1 staff reductions, realization of operational efficiencies, cost avoidance, and elimination of

- 2 asset duplication, the commissioner of administration is authorized to transfer the functions,
- 3 positions, assets, and funds from any other department, agency, program, or budget units
- 4 related to these optimizations to a different department. The provisions of this Section shall
- 5 not apply to the Department of Culture, Recreation and Tourism, or any agency contained
- 6 in Schedule 04, Elected Officials, of the General Appropriation Act.

7 SCHEDULE 21

8 ANCILLARY APPROPRIATIONS

9 21-800 OFFICE OF GROUP BENEFITS

10	EXPENDITURES:	FY 22 EOB	FY 23 REC
11	State Group Benefits -		
12	Authorized Positions	(42)	(56)
13	Expenditures	\$ 1,809,133,191	\$ 1,809,705,404
14	Program Description: Provides for	the administration of group hed	alth and accidental
15	insurance and group life insurance	for current and former state em	ployees and other

17	TOTAL EXPENDITURES	<u>\$1,809,133,191</u>	<u>\$1,809,705,404</u>
18	MEANS OF FINANCE:		

MEANS OF FINANCE:
19 State General Fund by:

participating groups.

16

 20
 Interagency Transfers
 \$ 598,733
 \$ 598,733

 21
 Fees & Self-generated Revenues
 \$ 1,808,534,458
 \$ 1,809,106,671

22 TOTAL MEANS OF FINANCING \$ 1,809,133,191 \$ 1,809,705,404

23 21-804 OFFICE OF RISK MANAGEMENT

24	EXPENDITURES:	<u>F</u>	FY 22 EOB	FY 23 REC
25	Risk Management -			
26	Authorized Positions		(41)	(41)
27	Expenditures	\$ 3	58,342,481	\$ 324,218,483

Program Description: Provides for the overall executive leadership and management of the office, support services, policy analysis, management direction of the state's self-

insurance program; provides funding for the payment of losses on medical, malpractice,

- 31 property, comprehensive general liability, personal injury, automobile liability, automobile
- physical damage, bonds, crime, aviation, wet marine boiler and machinery and miscellaneous tort claims; provides funding for the payment of contracts issued for
- professional legal defense of claims made against the state; provides funding for the
- 35 reimbursement of the Division of Risk Litigation in the Office of the Attorney General for
- 36 costs incurred for professional legal defense of claims made against the state.

37	TOTAL EXPENDITURES	<u>\$</u>	358,342,481	\$ 324,218,483
38 39	MEANS OF FINANCE: State General Fund by:			
40	Interagency Transfers	\$	265,682,662	\$ 275,551,395
41	Fees & Self-generated Revenues	\$	90,659,819	\$ 46,667,088

	HLS 22RS-316			REE	NGROSSED HB NO. 465
1 2	MEANS OF FINANCE: State General Fund by:				
3	Interagency Transfers	\$	24,933,479	\$	25,447,628
4	Fees & Self-generated Revenues	\$ <u>\$</u>	8,829,741	\$ <u>\$</u>	9,036,379
5	TOTAL MEANS OF FINANCING	<u>\$</u>	33,763,220	<u>\$</u>	34,484,007
6	21-815 OFFICE OF TECHNOLOGY SERVICE	ES			
7	EXPENDITURES:		FY 22 EOB		FY 23 REC
8	Technology Services -		(020)		(020)
9	Authorized Positions		(828)		(828)
10	Authorized Other Charges Positions	_	(9)	_	(9)
11	Expenditures	<u>\$</u>	525,667,324	\$	670,082,509
12	Program Description: The mission of the Office	e of	Technology Se	rvice	s (OTS) is to
13	establish competitive, cost-effective technology syste		0,		'
14	centralized customer for the acquisition, billing an				
15	services. OTS shall charge respective user agenci				
16	~ ·		•		
17	services provided including the cost of the operation			iair, e	equitable, and
1 /	consistent manner, in full compliance with State of	Lou	isiana siaiuies.		
18	TOTAL EXPENDITURES	\$	525,667,324	\$	670,082,509
19	MEANS OF FINANCE:				
20	State General Fund by:				
	· · · · · · · · · · · · · · · · · · ·	o	504 140 051	¢.	669 564 026
21	Interagency Transfers	\$	524,148,851	\$	668,564,036
22 23 24	The allocations listed below are provided for information construed to limit the expenditures or means of functions.				
25				Ф	50 520 214
25	Executive Department			\$	50,528,314
26	Department of Transportation and Development			\$	32,108,983
27	Department of Public Safety and Corrections- Corre			\$	11,477,406
28	Department of Public Safety and Corrections- Public	ic Sa	afety Services	\$	53,964,933
29	Department of Public Safety and Corrections- Yout	h Se	ervices	\$	9,237,870
30	Louisiana Department of Health			\$	263,663,085
31	Department of Children and Family Services			\$	94,155,277
32	Department of Revenue			\$	29,770,915
33	Louisiana Workforce Commission			\$	27,830,125
34	Department of Education			\$	34,973,882
35	Remaining State Agencies			\$	60,853,246
36					
37	Total Interagency Transfers	Φ	1 510 472	<u>\$</u>	1 518 472
	Fees & Self-generated Revenues	<u>\$</u>	1,518,473	Þ	1,518,473
38	Production Support Services to local and other			Φ	255.070
39	governmental entities			\$	255,878
40	Telecommunications Services to local and other				
41	governmental entities			\$	403,408
42	IT Support Services to local and other				
43	governmental entities			\$	859,187
44	Total Fees & Self-generated Revenues			\$	1,518,473
45	TOTAL MEANS OF FINANCING	<u>\$</u>	525,667,324	<u>\$</u>	670,082,509
46	BY EXPENDITURE CATEGORY:				
47	Personal Services			\$	101,336,565
48	Operating Expenses			\$	204,966,990
49	Professional Services			\$	302,124,033
17	1 1010551011d1 DOI VICC5			Ψ	302,127,033

	HLS 22RS-316			REE	NGROSSED HB NO. 465
1 2	Other Charges Acquisitions and Major Repairs			\$ \$	52,083,104 9,571,817
3	TOTAL BY EXPENDITURE CATEGOR	RY		<u>\$</u>	670,082,509
4	21-816 DIVISION OF ADMINISTRATIVE L	AW			
5	EXPENDITURES:		FY 22 EOB		FY 23 REC
6	Administration -		(50)		(70)
7 8	Authorized Positions Expenditures	\$	(58) 8,643,902	\$	(58) 9,829,286
9 10 11	Program Description: Provides a neutral forum certain state agencies, with respect for the dign rights.				
12	TOTAL EXPENDITURES	<u>\$</u>	8,643,902	<u>\$</u>	9,829,286
13 14 15 16	MEANS OF FINANCE: State General Fund by: Interagency Transfers Fees & Self-generated Revenues	\$ \$	8,615,005 28,897	\$ \$	9,800,389 28,897
17	TOTAL MEANS OF FINANCING	\$	8,643,902	<u>\$</u>	9,829,286
18	21-820 OFFICE OF STATE PROCUREMEN	T			
19 20	EXPENDITURES: Office of State Procurement -		FY 22 EOB		FY 23 REC
21	Authorized Positions		(99)		(99)
22	Expenditures	\$	12,255,821	\$	12,873,418
23 24 25	Program Description : The mission of the Office effective services that satisfy the needs of approach Louisiana through the management of products a	oved g	overnmental u		
26	TOTAL EXPENDITURES	<u>\$</u>	12,255,821	\$	12,873,418
27 28 29	MEANS OF FINANCE: State General Fund by: Interagency Transfers	\$	5,675,334	\$	4,920,576
30	Fees & Self-generated Revenues	\$	6,580,487	\$	7,952,842
31	TOTAL MEANS OF FINANCING	\$	12,255,821	<u>\$</u>	12,873,418
32	21-829 OFFICE OF AIRCRAFT SERVICES				
33 34	EXPENDITURES: Flight Maintenance -		FY 22 EOB		FY 23 REC
35	Authorized Positions		(3)		(4)
36	Expenditures	\$	2,303,789	\$	2,324,065
37 38 39 40 41 42	Program Description: The mission of the Officoverall maintenance and provide all needed and economic operation of the State's various aircraft. flight safety, maintains high safety standards while and provides high quality, efficient, and economic operated aircraft.	l requi Fligh minimi	red support fo t Maintenance izing aircraft do	or safe Opero owntir	e, proper, and ations ensures ne for repairs,
43	TOTAL EXPENDITURES	<u>\$</u>	2,303,789	<u>\$</u>	2,324,065

			•		HB NO. 465
1	MEANIC OF FRIANCE				
1 2	MEANS OF FINANCE: State General Fund by:				
3	Interagency Transfers	\$	2,124,574	\$	2,144,850
4	Fees & Self-generated Revenues	\$	179,215	\$	179,215
•	1 cos co son generatos reventos	Ψ	177,215	Ψ	177,213
5	TOTAL MEANS OF FINANCING	\$	2,303,789	\$	2,324,065
6	21-860 ENVIRONMENTAL STATE REVOLV	ING	LOAN FUNDS	S	
7	EXPENDITURES:		FY 22 EOB		FY 23 REC
8	Environmental State Revolving Loan Funds	\$	125,350,000	\$	125,350,000
9	Program Description: Helps individual citizens	ana	l local governm	ents	participate in
10	environmental programs by assisting municipaliti		_		
11	treatment works. The Clean Water State Revolvi				
12	Environmental Quality to assist recipients of E	_	•		
13	construction grants in providing project inspection	, con	struction manag	geme	nt, and overall
14	program management services, required for the con	-	•		
15	Agency program, as outlined in the management g			_	
16	state's eight planning districts with one-on-one fol				
17	more aware of the program's benefits and requ				-
18 19	Revolving Loan Fund strives to uphold Com	-			-
20	Compensation, and Liability Act (CERCLA) Section of the citizens of the state, as well as to enhance		· / •		•
21	administering the Brownfields Cleanup Revolving			ni Oj	the state by
4 1	duministering the Brownjietus Ciednap Revolving	Loui	i I una.		
22	TOTAL EXPENDITURES	\$	125,350,000	\$	125,350,000
23	MEANS OF FINANCE:				
24	State General Fund by:				
25	Statutory Dedications:				
26	Clean Water State Revolving Fund	\$	125,000,000	\$	125,000,000
27	Brownfields Cleanup Revolving				
28	Loan Fund	\$	350,000	\$	350,000
29	TOTAL MEANS OF FINANCING	<u>\$</u>	125,350,000	<u>\$</u>	125,350,000
30	Payable out of the State General Fund by				
31	Statutory Dedications out of the Matching Funds				
32	Fund to the Environmental State Revolving Loan				
33	Funds Program to use as state match for the				
34	Clean Water State Revolving Fund allocations four	nd			
35	in the federal Infrastructure Investment and Jobs A	ct,			
36	in the event that House Bill No. 406 of the 2022				
37	Regular Session of the Legislature is enacted into l	aw		\$	4,256,600
38	21-861 DRINKING WATER REVOLVING LO	AN	FUND		
39	EXPENDITURES:		EV 22 EOD		EV 22 DEC
40	Drinking Water Revolving Loan Fund	\$	FY 22 EOB 47,988,458	\$	FY 23 REC 47,988,458
40	Dilliking water Revolving Loan Fund	Φ	47,988,438	Φ	47,900,430
41	Program Description: Assist public water syste	ms i	n financing need	led a	lrinking water
42	infrastructure improvements (e.g. treatment plant,				_
43	facilities, new wells). The Drinking Water Revolving		-	•	_
44	form of low-interest loans and technical assistance	_	-		
45	assist them with complying with state and federal d				
46	their customers are provided with safe drinking wa	ter tl	hereby protecting	g the	public health.
4.7	TOTAL DANKS TO THE	*	45 000 150	~	45 000 150
47	TOTAL EXPENDITURES	<u>\$</u>	47,988,458	<u>\$</u>	47,988,458

REENGROSSED

HLS 22RS-316

HLS 22RS-316 REENGROSSED HB NO. 465

1 MEANS OF FINANCE: 2 State General Fund by: 3 **Statutory Dedication:** 4 Drinking Water Revolving Loan Fund 47,988,458 47,988,458 5 TOTAL MEANS OF FINANCING 47,988,458 47,988,458 6 Payable out of the State General Fund by Statutory 7 Dedications out of the Matching Funds Fund to the 8 Drinking Water Revolving Loan Fund Program to 9 use as state match for the Drinking Water Revolving

10 Loan Fund allocations found in the federal

11 Infrastructure Investment and Jobs Act, in the event

12 that House Bill No. 406 of the 2022 Regular Session

13 of the Legislature is enacted into law

14 Section 10. This Act shall become effective on July 1, 2022.

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 465 Reengrossed

2022 Regular Session

Zeringue

2,693,000

\$

Abstract: Appropriates funds and provides for ancillary expenses of state government, including internal service funds, auxiliary accounts, and enterprise funds.

Provides \$989,727,795 of interagency transfers, \$1,883,923,053 of fees and self-generated revenues, and \$182,288,058 of statutory dedications to provide for the ancillary expenses of state government.

Proposed law provides for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary accounts, or enterprise funds for certain state institutions, officials, and agencies. Requires the appropriated funds, to the extent deposited, unless otherwise specified, to be used for working capital in the conduct of business enterprises rendering public, auxiliary, and interagency services. Requires receipts from the conduct of such businesses to be deposited to the credit of each ancillary fund for FY 2022-2023. Requires all funds to be expended in accordance with public bid laws.

Proposed law requires, except as otherwise provided, any fund equity resulting from prior year operations be included as a resource of the fund from which it is derived. Provides that all funds on deposit with the state treasury at the close of the fiscal year are authorized to be transferred to each fund as equity for FY 2023-2024. Further provides that all unexpended cash balances as of June 30, 2023, shall be remitted to the state treasurer on or before Aug. 14, 2023. Further provides that if not reestablished in the subsequent year's act, the agency must liquidate all assets and return all advances no later than Aug. 14, 2023.

<u>Proposed law</u> provides that the program descriptions contained in the Act are not enacted into law by virtue of their inclusion in the Act.

Proposed law provides that all money from federal, interagency, statutory dedications, or self-generated revenues of an agency be deemed available for expenditures in the amounts appropriated, and any increase in such revenues over the amounts appropriated shall only be available for expenditure by the agency with approval of the division of administration and the Joint Legislative Committee on the Budget (JLCB).

REENGROSSED HB NO. 465

<u>Proposed law</u> provides that the number of employees approved for each agency may be increased by the commissioner of administration, subject to JLCB approval, when appropriate documentation is deemed valid.

<u>Proposed law</u> requires any agency with an appropriation level of \$30 million or more to include positions within its table of organization which perform internal auditing services, including the position of a chief audit executive responsible for adhering to the Institute of Internal Auditors, International Standards for the Professional Practice of Internal Auditing.

<u>Proposed law</u> directs the commissioner of administration to adjust performance objectives and indicators contained in the Executive Budget Supporting Document to reflect the funds appropriated and to report such adjustments to the JLCB by Aug. 15, 2022.

<u>Proposed law</u> provides that the treasurer shall invest excess cash funds, excluding those arising from working capital advances, with the interest earned being credited to the account.

<u>Proposed law</u> authorizes the commissioner of administration to transfer functions, positions, assets, and funds between and within departments in conjunction with the continuing assessment of the existing staff, assets, contracts, and facilities of each department, agency, program, or budget unit's information technology resources, and procurement resources, in order to optimize resources and provide cost savings. <u>Proposed law</u> does not apply to the Dept. of Culture, Recreation and Tourism, or any agency contained in Schedule 04, Elected Officials, of the General Appropriation Act.

<u>Proposed law</u> provides allocations for the Office of Technology Services for informational purposes only and are not construed to limit the expenditures or means of financing of the office.

<u>Proposed law</u> provides additional funding to the Clean Water Revolving Loan Fund and the Drinking Water Revolving Loan Fund out of the Matching Funds Fund.

Effective July 1, 2022.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Appropriations</u> to the original bill:

- 1. Provides a list of funding allocations for the Office of Technology Services for informational purposes.
- 2. Provides \$6.9 million out of the Matching Funds Fund for the Drinking Water Revolving Loan Fund and the Clean Water Revolving Loan Fund.