2021 Regular Session

22

## **ACT No. 113**

HOUSE BILL NO. 484

## BY REPRESENTATIVE ZERINGUE

1	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
5	funds for Fiscal Year 2021-2022; to provide for an effective date; and to regulate the
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
20	fund from which the ancillary fund is directly or indirectly derived.
21	B. Funds on deposit with the state treasury at the close of the fiscal year are

authorized to be transferred to each fund respectively, as equity for the next fiscal year.

All unexpended cash balances as of June 30, 2022, shall be remitted to the state treasurer on or before August 14, 2022. If not reestablished in the subsequent year's Act, the agency must liquidate all assets and return all advances no later than August 14, 2022.

C. The program descriptions contained in this Act are not part of the law and are not enacted into law by virtue of their inclusion into this Act.

Section 3. All money from federal, interagency transfers, statutory dedications, or fees and self generated revenues shall be available for expenditure in the amounts herein appropriated.

Any increase in such revenues shall be available for allotment and expenditure by an agency on approval of an increase in the appropriation by the commissioner of administration and the Joint Legislative Committee on the Budget. Any increase in such revenues for an agency without an appropriation from the respective revenue source shall be incorporated into the agency's appropriation on approval of the commissioner of administration and the Joint Legislative Committee on the Budget.

Section 4.A. The figures in parentheses following the designation of a budget entity are the total authorized positions and authorized other charges positions for that entity. The number of employees approved for each agency, as a result of the passage of this Act, may be increased by the commissioner of administration when sufficient documentation is presented and the request is deemed valid. However, any request which exceeds five positions shall be approved by the commissioner of administration and the Joint Legislative Committee on the Budget.

B. The budget request of any agency with an appropriation level of thirty million dollars or more shall include within its existing table of organization positions which perform the function of internal auditing, including the position of a chief audit executive. The chief audit executive shall be responsible for ensuring that the internal audit function 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 access to the commission, board, secretary, or equivalent head of the agency. The chief audit executive shall certify to the commission, board, secretary, or equivalent head of the

agency that the internal audit function conforms to the Institute of Internal Auditors, International Standards for the Professional Practice of Internal Auditing.

Section 5. All key and supporting performance objectives and indicators for the departments, agencies, programs, and budget units contained in the Governor's Executive Budget Supporting Document shall be adjusted by the commissioner of administration to reflect the funds appropriated therein. The commissioner of administration shall report on these adjustments to the Joint Legislative Committee on the Budget each year by August 15.

Section 6. The following definition is provided for the terms of this Act: "Working capital" shall be considered the excess of current assets over current liabilities on an accrual basis.

Section 7. Should any section, subsection, clause, sentence, phrase, or part of the Act for any reason be held, deemed, or construed to be unconstitutional or invalid, such decisions shall not affect the remaining provisions of the Act, and the legislature hereby declares that it would have passed the Act, and each section, subsection, clause, sentence, phrase, or part thereof, irrespective of the fact that one or more of the sections, subsections, clauses, sentences, phrases, or parts thereof, is declared unconstitutional or invalid. To this end, the provisions of this Act are hereby declared severable.

Section 8. Internal Service Funds. These funds account for the financing of goods or services provided by one department or agency to other departments or agencies of the governmental unit, or to other governmental units, on a cost-reimbursement basis. Excess cash funds, excluding cash funds arising from working capital advances, shall be invested by the state treasurer with the interest proceeds therefrom credited to each account and shall not be transferred to the state general fund.

Section 9. 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, upon completion of this assessment and to the extent optimization of these resources will result in the projected cost savings through staff reductions, realization of operational efficiencies, cost avoidance, and elimination of asset duplication, the commissioner of administration is authorized to transfer the functions, positions, assets, and funds from any other department, agency, program, or budget units related to these optimizations to a different department. The provisions of this Section shall

	HB NO. 484		<b>ENROLLED</b>
1	not apply to the Department of Culture, Recreation	on and Tourism, or any	y agency contained
2	in Schedule 04, Elected Officials, of the General	Appropriation Act.	
3	SCHEDUL	E 21	
4	ANCILLARY APPRO	OPRIATIONS	
5	21-800 OFFICE OF GROUP BENEFITS		
6	EXPENDITURES:	<b>FY 21 EOB</b>	<b>FY 22 REC</b>
7 8 9	State Group Benefits - Authorized Positions Expenditures	(42) \$1,584,274,843	(42) \$ 1,638,729,375
10 11 12	<b>Program Description:</b> Provides for the adminingurance and group life insurance for current participating groups.	0 0 1	
13	TOTAL EXPENDITURES	<u>\$ 1,584,274,843</u>	\$1,638,729,375
14 15 16 17	MEANS OF FINANCE: State General Fund by: Interagency Transfers Fees & Self-generated Revenues TOTAL MEANS OF FINANCING	\$ 198,733 \$ 1,584,076,110 \$ 1,584,274,843	\$ 598,733 \$ 1,638,130,642 \$ 1,638,729,375
19 20 21 22	Payable out of the State General Fund by Fees and Self-generated Revenues to the State Group Benefits Program for claim payments		\$ 170,403,816
23 24 25 26 27 28 29	Provided, however, the Office of Group Benefits claims reviewer to provide a regular, frequent, ar including but not limited to review and oversight and clinical review of claims payments. The third toward identifying and eliminating systemic error that only the required and appropriate amounts du of proper adjudication.	nd ongoing review and of the receipt, manager -party medical claims res, recovering overpayn	l oversight process, ment, adjudication, reviewer shall work nents, and ensuring
30	21-804 OFFICE OF RISK MANAGEMENT		

31

32 33

34

EXPENDITURES:

Risk Management -

Authorized Positions

Expenditures

**FY 21 EOB** 

(41) \$ 217,558,737 **FY 22 REC** 

\$ 358,342,481

(41)

**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, 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 reimbursement of the Division of Risk Litigation in the Office of the Attorney General for costs incurred for professional legal defense of claims made against the state.

10	TOTAL EXPENDITURES	<u>\$</u>	217,558,737	<u>\$</u>	358,342,481
11 12	MEANS OF FINANCE: State General Fund by:	¢.	107.419.676	¢.	265 682 662
13 14	Interagency Transfers Fees & Self-generated Revenues	\$ \$	197,418,676 18,140,061	\$ \$	265,682,662 90,659,819
15	Statutory Dedications:	Ψ	10,140,001	Ψ	70,037,017
16	Future Medical Care Fund	\$	2,000,000	\$	2,000,000
17	TOTAL MEANS OF FINANCING	\$	217,558,737	\$	358,342,481
18	21-806 LOUISIANA PROPERTY ASSISTANC	CE A	GENCY		
19	EXPENDITURES:		<u>FY 21 EOB</u>		<b>FY 22 REC</b>
20	Louisiana Property Assistance - Authorized Positions		(27)		(27)
21 22	Authorized Positions Expenditures	\$	(37) 7,451,981	\$	(37) 7,747,236
22	Dapondicules	Ψ	7,131,701	Ψ	7,717,230
23 24	<b>Program Description:</b> Provides for the account through the development and implementation of so				
25	TOTAL EXPENDITURES	<u>\$</u>	7,451,981	<u>\$</u>	7,747,236
26	MEANS OF FINANCE:				
27	State General Fund by:				
28	Interagency Transfers	\$	1,915,846	\$	1,615,846
29	Fees & Self-generated Revenues	\$	5,536,135	\$	6,131,390
30	TOTAL MEANS OF FINANCING	\$	7,451,981	<u>\$</u>	7,747,236
31	21-807 LOUISIANA FEDERAL PROPERTY	ASSI	STANCE AGE	ENC	Y
32	EXPENDITURES:		FY 21 EOB		FY 22 REC
33	Federal Property Assistance -				
34	Authorized Positions		(9)		(9)
35	Expenditures	\$	3,566,313	\$	3,415,050
36 37	<b>Program Description:</b> Seeks to assure the fair property allocated to Louisiana by the General Servi		-		
38	donees.				
39	TOTAL EXPENDITURES	\$	3,566,313	<u>\$</u>	3,415,050
40	MEANS OF FINANCE:				
41	State General Fund by:				
42	Interagency Transfers	\$	484,342	\$	484,342
43	Fees & Self-generated Revenues	\$	3,081,971	\$	2,930,708
44	TOTAL MEANS OF FINANCING	<u>\$</u>	3,566,313	<u>\$</u>	3,415,050

1	21-811 PRISON ENTERPRISES				
2 3	EXPENDITURES:		<b>FY 21 EOB</b>		<b>FY 22 REC</b>
	Prison Enterprises -		(72)		(72)
4 5	Authorized Positions	Φ	(72)	Φ	(72)
5	Expenditures	\$	33,592,587	\$	33,763,220
6	Program Description: Utilizes the resources of		-		
7	Corrections in the production of food, fiber, and ot				
8	order to lower the cost of incarceration; provides				
9	and agencies of parishes, municipalities, and other p				
10	opportunities for offenders. Prison Enterprises	condi	ucts both indus	try o <sub>l</sub>	perations and
11	agriculture operations.	Ф	22 502 505	Φ	22.762.220
12	TOTAL EXPENDITURES	\$	33,592,587	<u>\$</u>	33,763,220
13	MEANS OF FINANCE:				
14	State General Fund by:				
15	Interagency Transfers	\$	24,860,496	\$	24,933,479
16	Fees & Self-generated Revenues	\$	8,732,091	\$	8,829,741
10	rees & sen-generated Revenues	Ψ	0,732,071	Ψ	0,027,741
17	TOTAL MEANS OF FINANCING	<u>\$</u>	33,592,587	<u>\$</u>	33,763,220
18	21-815 OFFICE OF TECHNOLOGY SERVICE	CES			
19	EXPENDITURES:		FY 21 EOB		FY 22 REC
20	Technology Services -		TT ZT EOD		FT 22 REC
21	Authorized Positions		(828)		(828)
22	Authorized Other Charges Positions		(9)		(9)
23	Expenditures	\$	406,458,696	\$	399,244,451
23	Expenditures	Φ	400,438,090	φ	399,244,431
24	Program Description: The mission of the Offi	ce of	Technology Se	ervice	s (OTS) is to
25	establish competitive, cost-effective technology syst				'
26	centralized customer for the acquisition, billing a				
27	services. OTS shall charge respective user agence				
28	services provided including the cost of the operati				
29	consistent manner, in full compliance with State of			<i>an</i> , c	equitable, and
_,		, 2011.			
30	TOTAL EXPENDITURES	<u>\$</u>	406,458,696	<u>\$</u>	399,244,451
31	MEANS OF FINANCE:				
32	State General Fund by:				
33	Interagency Transfers	\$	404,940,223	\$	397,725,978
34	Fees & Self-generated Revenues	\$	1,518,473	\$	1,518,473
	<i>g.</i>	<u> </u>	<del></del>	<u>*</u>	<del></del>
35	TOTAL MEANS OF FINANCING	<u>\$</u>	406,458,696	<u>\$</u>	399,244,451
36	Payable out of State General Fund				
37	by Interagency Transfers from the				
38	Division of Administration via the				
39	American Rescue Plan Act of 2021				
40	to the Technology Services				
41	Program for broadband			\$	15,000,000
42	Davable out of State Consul Fund				
42	Payable out of State General Fund				
43	by Interagency Transfers from the				
44	Department of Education via the				
45	American Rescue Plan Act of 2021				
46	to non-public schools to procure laptops				15000000
47	and Chromebooks			\$	15,000,000

	11D 11O. 404			-	<u> </u>
1 2 3 4	Payable out of State General Fund by Interagency Transfers from various state agencies to the Technology Services Program for projects and services			\$	96,422,873
5	21-816 DIVISION OF ADMINISTRATIVE I	LAW			
6 7 8 9	EXPENDITURES: Administration - Authorized Positions Expenditures	<u>\$</u>	(58) 8,475,791	<u>\$</u>	(58) 8,643,902
10 11 12	<b>Program Description:</b> Provides a neutral forum certain state agencies, with respect for the digital rights.		_		
13	TOTAL EXPENDITURES	<u>\$</u>	8,475,791	<u>\$</u>	8,643,902
14 15 16 17	MEANS OF FINANCE: State General Fund by: Interagency Transfers Fees & Self-generated Revenues	\$ \$	8,446,894 28,897	\$ \$	8,615,005 28,897
18	TOTAL MEANS OF FINANCING	<u>\$</u>	8,475,791	<u>\$</u>	8,643,902
19	21-820 OFFICE OF STATE PROCUREMEN	NT			
20 21 22 23	EXPENDITURES: State Procurement - Authorized Positions Expenditures	<u>\$</u>	(99) 12,319,548	\$	(99) 12,255,821
24 25 26	<b>Program Description</b> : The mission of the Office effective services that satisfy the needs of apprairies Louisiana through the management of products of	oved go	overnmental ur		•
27	TOTAL EXPENDITURES	<u>\$</u>	12,319,548	\$	12,255,821
28 29 30 31	MEANS OF FINANCE: State General Fund by: Interagency Transfers Fees & Self-generated Revenues	\$ \$	5,447,546 6,872,002	\$ \$	5,675,334 6,580,487
32	TOTAL MEANS OF FINANCING	<u>\$</u>	12,319,548	<u>\$</u>	12,255,821
33	21-829 OFFICE OF AIRCRAFT SERVICES				
34 35 36 37	EXPENDITURES: Flight Maintenance - Authorized Positions Expenditures	\$	(3) 2,328,385	\$	(3) 2,303,789
38 39 40	<b>Program Description:</b> The mission of the Office overall maintenance and provide all needed an economic operation of the State's various aircraft flight safety, maintains high safety standards while	d requi t. Fligh	red support for t Maintenance ( izing aircraft do	r safe Opera wntir	e, proper, and ations ensures ne for repairs,
41 42 43	and provides high quality, efficient, and econom operated aircraft.  TOTAL EXPENDITURES	ical rep	pair and fueling 2,328,385	g serv \$	2,303,789

**ENROLLED** 

HB NO. 484

	HB NO. 484				ENROLLED
1 2 3	MEANS OF FINANCE: State General Fund by: Interagency Transfers	\$	2,149,170	\$	2,124,574
4	Fees & Self-generated Revenues	<u>\$</u>	179,215	\$	179,215
5	TOTAL MEANS OF FINANCING	<u>\$</u>	2,328,385	<u>\$</u>	2,303,789
6	21-860 ENVIRONMENTAL STATE REVOLV	ING	LOAN FUNDS	S	
7	EXPENDITURES:		<b>FY 21 EOB</b>		<b>FY 22 REC</b>
8	Environmental State Revolving Loan Funds	\$	110,000,000	\$	125,350,000
9 10 11 12 13 14 15 16 17 18 19 20 21	Program Description: Helps individual citizens environmental programs by assisting municipalitic treatment works. The Clean Water State Revolvic Environmental Quality to assist recipients of Econstruction grants in providing project inspection program management services, required for the company program, as outlined in the management grants is eight planning districts with one-on-one follower aware of the program's benefits and required Revolving Loan Fund strives to uphold Compensation, and Liability Act (CERCLA) Section of the citizens of the state, as well as to enhance administering the Brownfields Cleanup Revolving	es to ging Filmoiro, cons pletio rant. low-unirem prehe 1104(	finance and conund is used by onmental Protestruction manage on of the Enviro Regional meetings to ments. The Brownsive Environk) to protect the the environment.	nstru the I ection gemen nmen ings d nake n ownfi ment	ct wastewater Department of Agency and It, and overall Ital Protection Iter held in the municipalities Telds Cleanup Ital Response, Ith and welfare
22	TOTAL EXPENDITURES	\$	110,000,000	\$	125,350,000
23 24 25 26 27 28	MEANS OF FINANCE: State General Fund by: Statutory Dedications: Clean Water State Revolving Fund Brownfields Cleanup Revolving Loan Fund	<u>\$</u> \$	110,000,000 0	<u>\$</u> <u>\$</u>	125,000,000 350,000
29	TOTAL MEANS OF FINANCING	\$	110,000,000	\$	125,350,000
30	21-861 DRINKING WATER REVOLVING LO	AN I	FUND		
31	EXPENDITURES:		<b>FY 21 EOB</b>		FY 22 REC
32	Drinking Water Revolving Loan Fund	\$	47,988,458	\$	47,988,458
33 34 35 36 37 38	Program Description: Assist public water system in frastructure improvements (e.g. treatment plant, facilities, new wells). The Drinking Water Revolving form of low-interest loans and technical assistance assist them with complying with state and federal did their customers are provided with safe drinking was	distri ng Loc to pu rinkin	bution main re an Fund provid blic water syste g water regular	place es ass ems in tions,	ement, storage sistance in the 1 Louisiana to ensuring that
39	TOTAL EXPENDITURES	<u>\$</u>	47,988,458	<u>\$</u>	47,988,458
40 41 42 43	MEANS OF FINANCE: State General Fund by: Statutory Dedication: Drinking Water Revolving Loan Fund	\$	17 000 150	¢	17 000 150
43	TOTAL MEANS OF FINANCING	<u>Φ</u>	47,988,458	<u>\$</u>	47,988,458 47,988,458
44	TOTAL MEANS OF FINANCINO	<u> </u>	47,988,458	Φ	41,700,438

1	Section 10. This Act shall become effective on July 1, 2021.
	SPEAKER OF THE HOUSE OF REPRESENTATIVES
	PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

**ENROLLED** 

APPROVED:

HB NO. 484