

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

LEGISLATIVE AFFAIRS: Provides relative to the salary and benefits for legislative assistants.

DIGEST

Present law provides for employment of legislative assistants by legislators. Authorizes each legislator to employ one or more legislative assistants as unclassified state employees. Limits the total salary of such assistant(s) to the applicable monthly salary as follows:

<u>MONTHLY</u> <u>STEP</u>	<u>SALARY</u>
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

Also provides that a legislator who has the maximum salary step available to him for his legislative assistants shall have a 4% step increase per year available for his legislative assistants. (Act No. 68 of the 2007 R.S. provides that in addition to the amounts and limitations provided in present law, funds appropriated to the legislature shall be used to provide an additional \$150 per month to the total amount available to each legislator for the salary of his legislative assistants, but such additional amount shall not be used pursuant to present law (R.S. 24:31.5(C)) to determine the full-time status or eligibility for benefits for a legislative assistant. Further provides that notwithstanding the provisions of present law, any legislative assistant employed on or before Dec. 1, 2007, may retain the salary they were earning on Dec. 1, 2007, through Aug. 14, 2008.)

Proposed law amends the salary range for legislative assistants, such that the total salary of each shall not exceed the following:

<u>STEP</u>	<u>MONTHLY</u> <u>SALARY</u>
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
Tenth	\$3,900
Eleventh	\$4,020
Twelfth	\$4,145

Thirteenth	\$4,275
Fourteenth	\$4,410
Fifteenth	\$4,550
Sixteenth	\$4,696
Seventeenth	\$4,848
Eighteenth	\$5,006
Nineteenth	\$5,170
Twentieth	\$5,341
Twenty-first	\$5,518
Twenty-second	\$5,703
Twenty-third	\$5,895
Twenty-fourth	\$6,095
Twenty-fifth	\$6,303
Twenty-sixth	\$6,519
Twenty-seventh	\$6,744
Twenty-eighth	\$6,977
Twenty-ninth	\$7,221
Maximum	\$7,473

Proposed law provides that on and after July 1, 2008, any legislator who has the maximum salary step available to him for his legislative assistants shall have available a step increase of 4% per year for the salary available for his legislative assistants.

Present law provides that each legislative assistant shall be paid a salary fixed by the legislator, but the salary for any one cannot exceed \$2,000 per month plus the equivalent of one step for each year of his employment as an 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. Further provides that when more than one assistant is employed by a legislator, the total salary for all such assistants shall not exceed \$2,000 per month plus the equivalent of one step for each year of employment as an assistant or the equivalent of one step for each year of the employing legislator's service as a legislator, at the option of the legislator.

Proposed law retains present law providing that the salary for any one legislative assistant shall not exceed a fixed amount, but increases that amount from \$2,000 to \$2,900, and further provides that the salary shall not exceed the base salary established by the Legislative Budgetary Control Council. Proposed law further retains present law providing that when more than one legislative assistant is employed by a legislator, the total salary for all such assistants shall not exceed a fixed amount, but increases that amount from \$2,000 to \$2,900, and further provides that the salary shall not exceed the base salary established by the Legislative Budgetary Control Council.

Proposed law provides that no legislative assistant shall be paid a salary that exceeds \$2,900 per month or the base salary established by the Legislative Budgetary Control Council plus the equivalent of one step for each year of his employment as a legislative assistant.

Proposed law provides that on and after July 1, 2009 the Legislative Budgetary Control Council shall have the authority to provide for increases in the salary schedule set forth in proposed law and at the time of any such increases, it shall also provide a detailed mechanism to factor in other governmental experience into the number of years of experience of a legislative assistant for salary purposes. Proposed law defines "primary legislative assistant of a legislator" as "the legislative assistant who receives the highest salary and whose salary is at least sixty percent of the salary that such assistant can be paid" under proposed law.

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 removes provisions for such part-time help or services.

Present law permits use of contractual secretarial services in lieu of one or more legislative assistants and permits two or more legislators to cooperatively employ 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 removes provisions for two or more legislators to cooperatively employ an assistant or assistants and provides that contractual secretarial services shall be paid in accordance with the Legislative Budgetary Control Council salary schedule.

Present law provides that payment of the salary of a legislative assistant shall be by check signed by the speaker of the House for legislative assistants to House members and by check signed by another member of the Senate designated by the president of the Senate and countersigned by the president of the Senate for legislative assistants to Senate members. Proposed law removes the requirement that another member of the Senate sign the checks. Proposed law additionally authorizes the use of facsimile signatures.

Proposed law retains present law (R.S. 24:31.5(C)) providing that all legislative assistants are eligible for workers' compensation coverage as state employees upon employment.

Present law further provides that to participate in the state's group life, health, and hospitalization insurance program and the state employees' retirement system, or in any other benefits accruing under law to state employees, a legislative assistant must either:

- (1) Be employed full time and have at least one year of experience. (HCR No. 19 of the 1980 2nd ES of the Legislature expressed the intent of the legislature that full-time employment of a legislative assistant for such purposes shall be construed to mean that such assistant is being paid at least 60% of the total compensation such assistant and other assistants employed for the same legislator are eligible to be paid under the provisions of present law (R.S. 24:31.5), including all step increases authorized by law.)
- (2) Be employed full time and receive at least 80% of the total compensation available to the employing legislator for his assistants, including all step increases authorized by law.

Proposed law provides instead that a legislative assistant who receives at least 60% of the maximum salary authorized for the primary legislative assistant of a legislator in accordance with the salary schedule established by the Legislative Budgetary Control Council is eligible for such benefits.

Proposed law provides that a legislative assistant employed on or before December 1, 2007, may retain the salary earned as of June 30, 2008, but provides that such legislative assistant shall not be eligible for an increase in salary until the legislative assistant is eligible to receive such in accordance with the Legislative Budgetary Control Council salary schedule established by proposed law.

Proposed law requires that any actuarial cost of proposed law be funded with additional employer contributions in compliance with Art. X, §29(E)(5)(b) of the state constitution.

Effective July 1, 2008.

(Amends R.S. 24:31.5)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Authorizes the Legislative Budgetary Control Council to provide a mechanism to factor in other governmental experience into the number of years of experience of a legislative assistant for employment and salary schedule purposes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the engrossed bill.

1. Amends the salary range for legislative assistants, such that the total salary of each shall not exceed the following:

<u>MONTHLY</u> <u>STEP</u>	<u>SALARY</u>
Base	\$2,900
First	\$2,983
Second	\$3,069
Third	\$3,159
Fourth	\$3,252
Fifth	\$3,350
Sixth	\$3,451
Seventh	\$3,557
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Twenty-sixth	\$6,519
Twenty-seventh	\$6,744
Twenty-eighth	\$6,977
Twenty-ninth	\$7,221
Maximum	\$7,473

2. Provides that on and after July 1, 2008, any legislator who has the maximum salary step available to him for his legislative assistants shall have available a step increase of 4% per year for the salary available for his legislative assistants.
3. Deletes provision that the Legislative Budgetary Control Council (LBCC) shall establish the salary schedule for legislative assistants and make adjustments thereto as necessary.
4. Retains present law providing that the salary for any one legislative assistant shall not exceed a fixed amount, which is increased from \$2,000 to \$2,900, or shall not exceed the base salary established by the LBCC.
5. Retains present law providing that when more than one legislative assistant is employed by a legislator, the total salary for all such assistants shall not exceed a fixed amount, which is increased from \$2,000 to \$2,900, or shall not exceed the base salary established by the LBCC.

6. Provides that no legislative assistant shall be paid a salary that exceeds \$2,900 per month or the base salary established by the LBCC plus the equivalent of one step for each year of his employment as a legislative assistant.
7. Provides that on and after July 1, 2009 the LBCC shall have the authority to provide for increases in the salary schedule set forth in proposed law and at the time of any such increases, it shall also provide a detailed mechanism to factor in other governmental experience into the number of years of experience of a legislative assistant for salary purposes.
8. Provides that if a legislator has funds available for employing one or more legislative assistants based on his years of legislative service, which amount is in excess of the amount available to pay the salary of his legislative assistant or assistants based on their years of employment as a legislative assistant, then the legislator may use such excess funds to supplement the scheduled salary of one or more of his legislative assistants, or to employ additional legislative assistants, or both. Provides that any supplement above the scheduled pay to an assistant shall terminate as fixed by the employing legislator, or upon the termination of the assistant's employment with the legislator.
9. Provides that when a legislator employs only one legislative assistant, such assistant may participate in the state's group life, health, and hospitalization insurance program and the state employee's retirement system provided such assistant receives at least 60% of the total compensation available to employ the assistant. Provides that when more than one assistant is employed, the primary assistant may participate in the state's group life, health, and hospitalization insurance program and the state employee's retirement system. Changes the definition of "primary legislative assistant" from ""the legislative assistant of the legislator who earned the highest annualized salary for the previous twelve months" to "the legislative assistant who receives the highest salary and whose salary is at least 60% of the salary that such assistant can be paid" under proposed law.
10. Provides that a legislative assistant employed on or before December 1, 2007, may retain the salary earned as of June 30, 2008, rather than as of December 1, 2007, but provides that such legislative assistant shall not be eligible for an increase in salary until the legislative assistant is eligible to receive such in accordance with the LBCC salary schedule established by proposed law.