

2016 First Extraordinary Session

HOUSE CONCURRENT RESOLUTION NO. 2

BY REPRESENTATIVES LANCE HARRIS, AMEDEE, BACALA, BARRAS, BERTHELOT, TERRY BROWN, CONNICK, DEVILLIER, EDMONDS, EMERSON, FALCONER, GAROFALO, GISCLAIR, HAVARD, HODGES, HOFFMANN, HORTON, HOWARD, JENKINS, MIKE JOHNSON, NANCY LANDRY, MAGEE, MCFARLAND, MIGUEZ, GREGORY MILLER, JAY MORRIS, PEARSON, PYLANT, RICHARD, SCHRODER, SEABAUGH, THIBAUT, WILLMOTT, AND ZERINGUE

A CONCURRENT RESOLUTION

To direct the commissioner of administration, the commissioner of higher education, the lieutenant governor, the secretary of state, the attorney general, the treasurer, the commissioner of agriculture, the public service commission, and the commissioner of insurance to review all state contracts and identify any contracts currently in effect that can be terminated according to the terms of the contract, determine the amount of savings as a result of terminating the contract, and take such action as is necessary to initiate the termination, excluding contracts for critical healthcare services and contracts for classroom activities related to elementary and secondary education, and report to the Joint Legislative Committee on the Budget their initial findings on or before March 17, 2016.

WHEREAS, the state of Louisiana is facing an estimated \$940 million budget deficit in Fiscal Year 2015-2016; and

WHEREAS, the state of Louisiana is facing an estimated \$2.1 billion budget deficit in Fiscal Year 2016-2017; and

WHEREAS, solving the budget deficits in the coming years and setting the state on a path of continued fiscal responsibility will require a thorough review of all areas of state spending; and

WHEREAS, the office of state procurement in the division of administration is charged with oversight of the procurement of all supplies, services, major repairs, and personal, professional, consulting, and social services needed by the state; and

WHEREAS, the laws governing state contracts are vast and extend beyond the oversight of the office of state procurement; and

WHEREAS, some state contracts include language authorizing the state to terminate a contract at any time by giving thirty days written notice and making payment for all deliverables in progress; and

WHEREAS, given the various types of contracts and methods for entering into contracts, state agencies and systems of public postsecondary education are in the position to provide the best source of information on each contract entered into by the state; and

WHEREAS, the commissioner of administration directs the activities of the division of administration which comprises all administrative functions of the state; and

WHEREAS, the commissioner of higher education administers and implements programs and policies for the Board of Regents which plans, coordinates, and has budgetary responsibility for all public postsecondary education; and

WHEREAS, the lieutenant governor, the secretary of state, the attorney general, the treasurer, the commissioner of agriculture, the public service commission, and the commissioner of insurance direct the activities of and are responsible for the budgets of the agencies they oversee; and

WHEREAS, a review of all state contracts by the commissioner of administration, the commissioner of higher education, the lieutenant governor, the secretary of state, the attorney general, the treasurer, the commissioner of agriculture, the public service commission, and the commissioner of insurance will allow them to determine if the state has entered into any contracts that are not meeting state priorities at a reasonable cost.

THEREFORE, BE IT RESOLVED the commissioner of administration, the commissioner of higher education, the lieutenant governor, the secretary of state, the attorney general, the treasurer, the commissioner of agriculture, the public service commission, and the commissioner of insurance are directed to review all state contracts, identify any contracts currently in effect that can be terminated according to the terms of the contract, determine the amount of savings as a result of terminating the contract, take such action as is necessary to initiate the termination, and to identify any contracts that have already been terminated this fiscal year, and to report their initial findings to the Joint Legislative Committee on the Budget on or before March 17, 2016.

BE IT FURTHER RESOLVED, contracts for critical healthcare services and contracts for classroom activities related to elementary and secondary education shall be excluded from the requirements of this Resolution.

BE IT FURTHER RESOLVED that all state agencies are directed to provide information which shall require a uniform method to evaluate the contracts requested by the commissioner of administration.

BE IT FURTHER RESOLVED that all state boards and commissions are directed to provide information as requested to meet the requirements of this Resolution.

BE IT FURTHER RESOLVED that the board of supervisors of each public system of postsecondary education, and each public institution of postsecondary education, are directed to provide information as requested by the commissioner of higher education.

BE IT FURTHER RESOLVED that the commissioner of administration, the commissioner of higher education, the lieutenant governor, the secretary of state, the attorney general, the treasurer, the commissioner of agriculture, the public service commission, and the commissioner of insurance shall report to the Joint Legislative Committee on the Budget on or before March 17, 2016, any additional contract identified for termination, the amount of savings from the termination of the contract, and whether termination has been initiated.

BE IT FURTHER RESOLVED that the commissioner of administration, the commissioner of higher education, the lieutenant governor, the secretary of state, the attorney general, the treasurer, the commissioner of agriculture, the public service commission, and the commissioner of insurance shall further report to the Joint Legislative Committee on the Budget on or before March 17, 2016, any contracts that would otherwise be required for termination under the requirements of this Resolution, but which they deem necessary and any additional contracts that have been determined to be required for termination under the requirements of this Resolution, but which they deem necessary to continue.

BE IT FURTHER RESOLVED that such report shall identify contracts that are awarded to minority and women owned businesses.

BE IT FURTHER RESOLVED the Joint Legislative Committee on the Budget is required to hold a meeting on or before March 17, 2016, to discuss the information reported to the committee.

BE IT FURTHER RESOLVED that the legislature may use the information reported to the Joint Legislative Committee on the Budget to make corresponding reductions to the Fiscal Year 2015-2016 budget.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the commissioner of administration, the commissioner of higher education, the lieutenant governor, the secretary of state, the attorney general, the treasurer, the commissioner of agriculture, the public service commission, and the commissioner of insurance.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE