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HOUSE FLOOR AMENDMENTS

2016 Regular Session

Amendments proposed by Representative Richard to Reengrossed Senate Bill No. 407 by Senator Milkovich

1 AMENDMENT NO. 1

2 Delete the set of House Committee on Appropriations Amendments

3 AMENDMENT NO. 2

4 Delete the set of House Floor Legislative Bureau Amendments

5 AMENDMENT NO. 3

6 On page 1, delete line 2 in its entirety and insert "To amend and reenact R.S. 39:1590(A),
7 (B), and (C)(introductory paragraph) and to enact R.S. 24:653(N) and R.S. 39:9, 10, 11, and
8 1567(B)(3) and (4), relative to contracts; to"

9 AMENDMENT NO. 4

10 On page 1, delete line 4 in its entirety and insert "creation of the Contract Services
11 Subcommittee of the Joint Legislative Committee on the Budget; to provide for the"

12 AMENDMENT NO. 5

13 On page 1, at the end of line 5, insert "for contracts reported to and reviewed and approved
14 by the Joint Legislative Committee on the Budget; to provide"

15 AMENDMENT NO. 6

16 On page 1, delete line 8 in its entirety and insert the following:

17 "Section 1. R.S. 24:653(N) is hereby enacted to read as follows:
18

19 **N.(1) The Contract Services Subcommittee of the Joint Legislative**
20 **Committee on the Budget is hereby created to review contracts and make**
21 **recommendations to the Joint Legislative Committee on the Budget as provided**
22 **in this Subsection and R.S. 39:1590. The subcommittee shall be composed of**
23 **eight members of the Joint Legislative Committee on the Budget: four members**
24 **of the Senate, appointed by the president of the Senate and four members of the**
25 **House of Representatives, appointed by the speaker of the House of**
26 **Representatives.**

27 **(2) The subcommittee shall review contracts reported in accordance with**
28 **R.S. 39:1590 and make recommendations to the Joint Legislative Committee on**
29 **the Budget. The subcommittee may review any other contracts as determined**
30 **by the subcommittee. Additionally, the subcommittee may review the processes**
31 **by which these contracts are negotiated, drafted, procured, and executed.**

32 **(3) The president of the Senate shall appoint a senator to chair the first**
33 **meeting until officers can be elected from among the subcommittee membership**

1 at the first meeting. A quorum of the subcommittee membership shall be
 2 required to conduct business.

3 (4) Annually, the subcommittee shall report to the Joint Legislative
 4 Committee on the Budget, the president of the Senate, the speaker of the House
 5 of Representatives, and the governor no later than sixty days before the regular
 6 session regarding any recommendations relative to contract procedures that
 7 may require administrative action or may require legislative action.

8
 9 (5) The provisions of this Subsection shall become void on June 30,
 10 2020."

11 Section 2. R.S. 39:1590(A), (B), and (C)(introductory paragraph) are hereby
 12 amended and reenacted and R.S. 39:9, 10, 11, and 1567(B)(3) and (4) are hereby enacted to
 13 read as follows:

14 §9. State agency reporting requirements

15 A. State agencies shall report to the division of administration by the
 16 twentieth day of each month, in a form and manner as prescribed by the
 17 treasurer, information on all expenditures made by the agency in the previous
 18 month that is necessary to fulfill the requirements of R.S. 39:442. Except as
 19 otherwise provided pursuant to R.S. 39:440(C), reports shall not include
 20 expenditures in the aggregate, but shall be an itemized list of expenditures.

21 B. Each state agency shall display on its website a link to the Louisiana
 22 Transparency and Accountability portal and online spending database
 23 (LaTrac).

24 §10. Louisiana Transparency and Accountability portal and online spending
 25 database (LaTrac) reporting requirements

26 A. The Louisiana Transparency and Accountability portal and online
 27 spending database (LaTrac) shall include the following:

28 (1) A searchable database of all state expenditures reported by state
 29 agencies.

30 (2) Ability for the public to search expenditures by the following:

31 (a) State agency.

32 (b) Category of expense.

33 (c) Vendor or contractor.

34 (3) Ability to aggregate expenditures by:

35 (a) State agency.

36 (b) Category of expense.

37 (c) Vendor or contractor.

38 (4) Ability for the public to download information from the website.

39 B. For each expenditure by a state agency, Louisiana Transparency and
 40 Accountability portal and online spending database (LaTrac) shall include the
 41 following information:

42 (1) The amount of the expenditure.

43 (2) The date of the payment of the expenditure.

44 (3) The vendor or contractor to which the expenditure was paid.

45 (4) The state agency that made the expenditure, including the name,
 46 phone number, electronic mail address, and physical address of an agency
 47 contact.

48 C. The website shall graphically present the information on the website
 49 regarding state agency expenditures, including charts and graphs, to provide
 50 a better understanding and organization of the information.

51 §11. Compliance with the requirements of Louisiana Transparency and
 52 Accountability portal and online spending database (LaTrac).

53 A.(1) The legislative auditor shall perform periodic and unscheduled
 54 audits of each state agency to ensure that the agencies are in compliance with
 55 this Chapter. The auditor shall report to the state treasurer and the Joint

1 Legislative Committee on the Budget any findings of state agencies that are not
2 in compliance with the requirements of this Chapter.

3 * * *

4 AMENDMENT NO. 7

5 On page 1, at the beginning of line 13, change "(4)" to "(3)"

6 AMENDMENT NO. 8

7 On page 2, delete lines 1 through 24 in their entirety and insert the following:

8
9 "SUBPART F. APPROVAL OF CERTAIN PROFESSIONAL,
10 PERSONAL, ~~AND~~ CONSULTING, **AND SOCIAL** SERVICES CONTRACTS
11 FOR FISCAL YEAR 2015-2016 THROUGH FISCAL YEAR 2017-2018

12 §1590. Approval of certain professional, personal, ~~and~~ consulting, **and social**
13 services contracts for Fiscal Year 2015-2016 through Fiscal Year 2017-2018

14 A. In Fiscal Year 2015-2016 through 2017-2018, the commissioner of
15 administration, in consultation with the state chief procurement officer, shall report
16 each contract for professional, personal, ~~and~~ consulting, **and social** services with a
17 total dollar amount of forty thousand dollars or more per year ~~that is funded solely~~
18 ~~with state general fund (direct) or the Overcollections Fund and is for discretionary~~
19 ~~purposes to the Joint Legislative Committee on the Budget for review and approval~~
20 prior to the effectiveness of the contract.

21 (1) Each contract reported by the commissioner of administration shall
22 be referred to the Contract Services Subcommittee of the Joint Legislative
23 Committee on the Budget, as provided in R.S. 24:653, for review. The
24 subcommittee shall meet within ten days of receipt of the contract to review the
25 contract. Within five days of each meeting of the subcommittee at which a
26 contract is reviewed under the provisions of this Section, the subcommittee shall
27 make a recommendation on the contract to the Joint Legislative Committee on
28 the Budget.

29 (2) If within ~~thirty~~ ten days of receipt of the **recommendation on the**
30 contract, the Joint Legislative Committee on the Budget does not place the contract
31 on its agenda for review and approval, the contract shall be deemed to be approved.

32 (2) (3) If within ~~thirty~~ ten days of receipt of the **recommendation on the**
33 contract, the contract is placed on ~~the~~ its agenda for review **and approval**, the Joint
34 Legislative Committee on the Budget may take the following action:

35 (a) Approve the contract.

36 (b) Reject the contract and notify the commissioner of administration that
37 such funds otherwise proposed for this purpose shall be deposited into the Higher
38 Education Financing Fund as provided in R.S. 39:100.146.

39 (c) Recommend revisions to the contract. If the Joint Legislative Committee
40 on the Budget recommends revisions to the contract, the contract shall not become
41 effective until it is revised, resubmitted to the Joint Legislative Committee on the
42 Budget, and acted upon again by the committee. If the commissioner of
43 administration, in consultation with the state chief procurement officer, does not
44 resubmit the contract to the Joint Legislative Committee on the Budget within thirty
45 days after the committee recommends revisions to the contract, the contract shall be

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 deemed to be rejected and funds otherwise proposed for this purpose shall be
2 deposited into the Higher Education Financing Fund as provided in R.S. 39:100.146.

3 B.(1) The commissioner of administration, in consultation with the state
4 chief procurement officer, shall periodically determine the amount of monies
5 appropriated for professional, personal, ~~and consulting service~~ **consulting, and**
6 **social services** contracts that are not approved by the Joint Legislative Committee
7 on the Budget and remain unexpended and unencumbered as a result of
8 implementation of this Section. Such determination shall take place on the following
9 dates in fiscal years 2015-2016, 2016-2017, and 2017-2018:

- 10 (a) September thirtieth.
- 11 (b) December thirty-first.
- 12 (c) March thirty-first.
- 13 (d) June thirtieth.

14 (2) Following each determination required pursuant to the provisions of this
15 Subsection, the commissioner of administration shall report to the state treasurer the
16 amount of state general fund (direct) ~~and Overcollections Fund~~ monies appropriated
17 for professional, personal, ~~and consulting service~~ **consulting, and social services**
18 contracts that are expected to remain unexpended and unencumbered at the end of
19 the fiscal year as a result of implementation of this Section. These monies shall be
20 available for deposit in and credit to the Higher Education Financing Fund as
21 provided for in R.S. 39:100.146.

22 C. Notwithstanding any provision of law to the contrary, this Section shall
23 not apply to the following professional, personal, ~~or consulting service~~ **consulting,**
24 **or social services** contracts:

25 * * *

26
27 AMENDMENT NO. 9

28 On page 2, at the beginning of line 25, change "Section 2." to "Section 3. "