

2017 Regular Session

HOUSE BILL NO. 574

BY REPRESENTATIVE GAROFALO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

GOVERNMENT ORGANIZATION: Recreates the Joint Legislative Committee on Reorganization of the Executive Branch and provides relative to its studies and recommendations

1 AN ACT

2 To amend and reenact R.S. 36:932, 933, 934, and 937, relative to executive branch
3 organization; to provide for further reorganization and consolidation within the
4 executive branch of state government by recreating the Joint Legislative Committee
5 on Reorganization of the Executive Branch and providing for its studies, findings,
6 and recommendations; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 36:932, 933, 934, and 937 are hereby amended and reenacted to read
9 as follows:

10 §932. Organizational meeting; officers

11 The committee created in this Chapter shall hold its organizational meeting
12 within ~~ninety~~ sixty days after adjournment sine die of the ~~1997~~ 2017 Regular Session
13 of the Legislature on the call of the speaker of the House of Representatives and the
14 president of the Senate, acting jointly. At such organizational meeting the committee
15 shall elect such officers as it shall find necessary.

16 §933. Studies

17 A. The committee created in this Chapter shall make such studies as it shall
18 find necessary or appropriate to reorganize the executive branch of state government
19 and to carry out the purposes of reorganization as stated in this Title, which studies

1 shall include but not be limited to: the nature of the powers, duties, functions, and
2 responsibilities of all departments and agencies in the executive branch; how such
3 powers, duties, functions, and responsibilities may be allocated among the
4 departments of the executive branch in order to eliminate duplication, to coordinate
5 the provision of services, and to deliver services to the public so as to achieve the
6 greatest benefit at the most economical cost; how department and agency functions
7 and duties may be performed more effectively and economically by merger and
8 consolidation, abolition, or division of departments or agencies or other changes in
9 department or agency structure; the impact of such proposed changes on provision
10 of services to the public and on the cost of providing such services; how the
11 responsibilities of agencies with respect to management, finance, budget, and
12 personnel may be consolidated or allocated in order to facilitate the budgetary
13 process, provide greater legislative oversight, and encourage economy and efficiency
14 in government; how departments may determine levels of productivity as determined
15 by efficiency and economy and may measure and improve such productivity; and
16 how the legislature may provide for and oversee the continuous reorganization,
17 merger, and consolidation of agencies and offices in the executive branch.

18 B. The focus of the committee's studies shall be achieving the elimination,
19 consolidation, improvement, or revision of the following:

20 (1) Inactive entities.

21 (2) Entities, programs, or activities which duplicate other governmental
22 entities, programs, or activities.

23 (3) Unnecessary entities, programs, or activities or entities, programs, or
24 activities which no longer serve the public interest.

25 (4) Inefficient or ineffective entities, programs, or activities.

26 (5) Entities, programs, or activities that are inconsistent with the intent of
27 legislation authorizing the entity, program, or activity.

government and in particular the transfer, allocation, or consolidation of state agencies and their powers, duties, functions, and responsibilities. Provides that the committee be composed of 15 members: five members of the Senate, appointed by the president of the Senate from a list of nominees submitted by the Senate and Governmental Affairs Committee, five members of the House of Representatives, appointed by the speaker of the House of Representatives from a list of nominees submitted by the House and Governmental Affairs Committee, and five members appointed by the governor.

Present law requires that the committee hold its organizational meeting within 90 days after the end of the 1997 Regular Session and elect officers. Proposed law provides instead that the committee hold its organization meeting within 60 days after the end of the 2017 Regular Session and elect officers.

Present law requires the committee to make studies it finds necessary or appropriate to reorganize the executive branch of state government, to include but not be limited to: the nature of the powers, duties, functions, and responsibilities of all departments and agencies in the executive branch; how such powers, duties, functions, and responsibilities may be allocated among the departments of the executive branch in order to eliminate duplication, to coordinate the provision of services, and to deliver services to the public so as to achieve the greatest benefit at the most economical cost; how department and agency functions and duties may be performed more effectively and economically by merger and consolidation, abolition, or division of departments or agencies or other changes in department or agency structure; the impact of such proposed changes on provision of services to the public and on the cost of providing such services; how the responsibilities of agencies with respect to management, finance, budget, and personnel may be consolidated or allocated in order to facilitate the budgetary process, provide greater legislative oversight, and encourage economy and efficiency in government; how departments may determine levels of productivity as determined by efficiency and economy and may measure and improve such productivity; and how the legislature may provide for and oversee the continuous reorganization, merger, and consolidation of agencies and offices in the executive branch.

Proposed law retains present law and further specifies that the focus of the committee's studies shall be achieving the elimination, consolidation, improvement, or revision of: (1) inactive entities; (2) entities, programs, or activities which duplicate other governmental entities, programs, or activities; (3) unnecessary entities, programs, or activities or entities, programs, or activities which no longer serve the public interest; (4) improvement of inefficient or ineffective entities, programs, or activities; and (5) entities, programs, or activities that are inconsistent with the intent of legislation authorizing the entity, program, or activity.

Present law requires that it complete its study and determine its recommendations to the legislature no later than Jan. 15, 1999, and submit to the legislature and to the governor, no later than Mar. 1, 1999, the complete results of its study, the report of its findings and its recommendations, and a draft of legislation to accomplish its recommendations. Proposed law provides instead that the committee complete its first study and determine its recommendations to the legislature no later than Jan. 15, 2019, and submit its complete study results and its findings and recommendations to each legislator and the governor no later than Mar. 1, 2019. Further requires an annual report of its findings and recommendations to the legislature and the governor no later than Jan. 15th.

Present law authorizes the committee to utilize the personnel, facilities, and services of the legislative auditor, the legislative fiscal officer, and the staffs of the House of Representatives and the Senate, and to request of and utilize such counsel, assistance, personnel, facilities, and advice as may be obtained from any and all public or private sources. Also authorizes it to make, or cause to be made, any studies it may find useful through legislative personnel or in cooperation with any public or private agency. Allows it to call upon the members or staffs of any and all existing departments or agencies of the state for data and assistance and requires their cooperation. Further authorizes the legislative

auditor, the legislative fiscal officer, or the staff of the House of Representatives or the staff of the Senate, upon direction of the committee, to employ necessary staff and receive and expend funds appropriated or otherwise made available by the legislature or from any other source, including gifts, donations, and grants of money or services from public or private persons or agencies, for the purpose of committee studies. Present law requires any state department, agency, or other instrumentality, upon written committee request to make available to the committee any officer or employee thereof, selected by the committee in consultation with the agency head, to be assigned to the committee to aid and assist in the carrying out of its functions. Authorizes the committee to receive funds from any source and to create advisory committees. Authorizes it to hold hearings, subpoena witnesses, administer oaths, require the production of books and records, and do all other things necessary to discharge its duties and responsibilities. Provides for punishment of contempt of the committee and for false swearing. Provides that the committee members receive the same per diem and travel allowance in the performance of their duties as is provided for members of the legislature, paid out of funds available to the presiding officers of the two houses of the Louisiana Legislature for expenses of the legislature and committees and other funds that may be made available for the purpose. Proposed law retains present law.

Present law dissolves the committee upon adjournment sine die of the 1999 R.S. Proposed law provides instead that the committee shall be dissolved upon adjournment of the 2022 R.S.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 36:932, 933, 934, and 937)