

## HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 620 by Representative Geymann

**BUDGETARY CONTROLS:** Requires the General Appropriation Bill be introduced with separate recommendations for discretionary and nondiscretionary spending if health care or higher education funding is reduced

### Synopsis of Senate Amendments

1. Changes entity determining the recommendations for expenditures from the legislative auditor to the legislative fiscal officer.
2. Specifies that health care expenditures are as contained in the schedule for the Dept. of Health and Hospitals and higher education expenditures are for Higher Education as contained in Schedule 19 for Higher Education and the LSU Health Care Services Division.
3. Changes reference to prior year from as enacted to existing operating budget at the time the executive budget is submitted.
4. Provides that nondiscretionary expenditures include but are not limited to certain items.
5. Changes the time for submission of the General Appropriation Bill from seven days after submission of the executive budget to the Joint Legislative Committee on the Budget to fourteen days after submission.
6. Deletes exclusion of recommendations for legislative expenses and judicial expenses.
7. Makes Act null, void, and of no effect on June 30, 2015.

### Digest of Bill as Finally Passed by Senate

**Abstract:** Requires the General Appropriation Bill be introduced with separate recommendations for discretionary and nondiscretionary spending if the Legislative Fiscal Office determines that the executive budget proposes to reduce funding from the state general fund and dedicated funds for health care or higher education.

Present law provides for the powers and functions of the Legislative Fiscal Office.

Proposed law adds functions to include reporting whether the proposed budget recommendation for appropriations out of the state general fund and dedicated funds for the ensuing fiscal year for health care as provided for the Dept. of Health and Hospitals and for higher education as provided for Higher Education and the LSU Health Care Services Division is less than the appropriations enacted for either purpose for the current fiscal year's existing operating budget as of the budget that is submitted to the Joint Legislative Committee on the Budget. Requires such report to be made to the governor and the legislature within seven days of the governor's submission of the executive budget to the Joint Legislative Committee on the Budget.

Present law provides for the contents of the executive budget.

Present law requires that the executive budget shall include reports of all discretionary and nondiscretionary expenditures, or estimates of discretionary or nondiscretionary

expenditures, itemized by department and functional area.

Proposed law defines nondiscretionary expenditures as those which must be funded because of constitutional and other mandates, including but not limited to the following:

- (1) Expenditures required by the Constitution of Louisiana. (The salaries of statewide elected officials; the cost of elections and ballot printing; Nonpublic school textbooks and the Minimum Foundation Program; parish transportation; Interim Emergency Board; State revenue sharing; Debt service for net state tax-supported debt; severance tax dedications to parishes; Parish royalty fund dedications to parishes; Highway Fund #2 dedications to Mississippi River Bridge Authority and Causeway Commission; state supplemental pay.)
- (2) Expenditures due to a court order. (Representation for mental health patient; medical care for some state prisoners.)
- (3) Expenditures to avoid a court order (Litigation involving community-based waiver options; elderly and disabled adult waiver litigation; instruction for Special School Districts #1 and #2-Juvenile Justice Settlement.)
- (4) Debt service. (The Debt Management Program; debt service of state-owned buildings paid by the Office Facilities Corporation; rent in state-owned buildings-paid by state agencies to the Office Facilities Corporation; corrections debt service-Louisiana Correctional Facilities Corporation; higher education debt service and maintenance.)
- (5) Expenditures due to federal mandates. (Mandatory Medicaid services; Federal Safe Drinking Water Act for inspections.)
- (6) Expenditures for certain statutory obligations. (Salaries of district attorneys and assistant district attorneys; local housing of state adult offenders; Peace Officer Standards and Training reimbursement for local law enforcement agencies; parole board; pardon board; medical care for prisoners; salaries and related benefits for the registrars of voters and their employees.)
- (7) Legislative expenses.
- (8) Judicial expenses.
- (9) Expenditures for unavoidable obligations. (Group benefits for retirees; maintenance of state buildings from state agencies to the division of administration; Adult Probation and Parole-Field Services Program; Family preservation and children services provided by the Department of Children and Family Services; Department of Health and Hospitals-Eastern La. Mental Health System-Forensic Facility; corrections services-incarceration of adult inmates; legislative auditor fees.)

Proposed law additionally requires the executive budget contain comparative statements for higher education and for health care by expenditures out of the state general fund and dedicated funds for the current fiscal year and recommended expenditures out of the state general fund and dedicated funds for the ensuing fiscal year.

Present law requires the governor to cause a General Appropriation Bill to be introduced which shall be in conformity with the recommendations contained in the budget estimate. The General Appropriation Bill and the bill appropriating funds for ancillary expenses of state government shall include for each program, department, and budget unit, comparative statements of the number of authorized positions and of the existing operating budget for a date certain to be established by the budget office for the current fiscal year and the appropriations for the ensuing fiscal year.

Proposed law requires that, in the event that the legislative fiscal officer determines that the

budget estimate recommends appropriations out of the state general fund and dedicated funds for the next fiscal year for health care and higher education in an amount less than the appropriations for either purpose in the same schedules in the existing operating budget for the current fiscal year, the governor shall cause a General Appropriation Bill to be introduced which shall provide separate recommendations for discretionary and nondiscretionary expenditures and the means of financing such expenditures.

Present law requires that the General Appropriation Bill and the bill appropriating funds for ancillary expenses of state government shall each be submitted for introduction at the same time as the executive budget.

Proposed law requires that the General Appropriation Bill and the ancillary appropriations bill be submitted for introduction no later than fourteen days after submission of the executive budget to the Joint Legislative Committee on the Budget.

Makes these provisions null, void, and of no effect on June 30, 2015.

Effective and operative only if proposed constitutional amendments which originated as HB Nos. 434, 435 and 436 of the 2013 R.S. are not concurred in by both houses and HB Nos. 1, 437, 456, 474, 571, 653, and 696 of the 2013 R.S. are not enacted into law.

(Amends R.S. 39:36(A)(3)(b) and 51(A); Adds R.S. 24:603(20) and R.S. 39:36(A)(6))