

Regular Session, 2014

HOUSE BILL NO. 853

BY REPRESENTATIVE HARRIS

BUDGETARY PROCEDURES: Provides for information included in the executive budget and the General Appropriation Bill

1 AN ACT

2 To amend and reenact R.S. 39:2(23), (24), (46), and (47), 36(A), 51(C), 87.2(B) and (C)(1),
3 and 87.3(A)(introductory paragraph), (2)(a), (3), and (4)(a) and (B), relative to the
4 operating budget; to provide for definitions; to provide for information included in
5 the executive budget; to provide for information included in the General
6 Appropriation Bill; to provide for information included in the Ancillary
7 Appropriation Act; to provide for changes to expenditure category allocations
8 included in the General Appropriation Bill; to provide for approval of certain
9 changes to expenditure category allocations included in the General Appropriation
10 Bill; to provide for an effective date; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 39:2(23), (24), (46), and (47), 36(A), 51(C), 87.2(B) and (C)(1), and
13 87.3(A)(introductory paragraph), (2)(a), (3), and (4)(a) and (B) are hereby amended and
14 reenacted to read as follows:

15 §2. Definitions

16 * * *

17 (23) "Key objective" means an objective which is designated as such by the
18 commissioner of administration and is included in the ~~General Appropriation Act or~~
19 the Ancillary Appropriation Act executive budget or the executive budget supporting
20 document.

1 objectives and key performance indicators therefor. The General Appropriation Bill
2 may also contain provisions for specific rewards or penalties for certain agencies as
3 provided in R.S. 39:87.4 and shall include the allocation of expenditures, itemized
4 by category for each agency, as recommended for the ensuing fiscal year in the
5 supporting document.

6 (2) The commissioner of administration is authorized to make adjustments
7 to the initial allocation of expenditures by category as provided for in the enacted
8 General Appropriation Act without approval of the Joint Legislative Committee on
9 the Budget, except when funds are transferred to the personnel services category
10 from any other expenditure category or when the personnel services category is
11 increased from the initial allocation. No amount shall be transferred to the personnel
12 services expenditure category from any other expenditure category, nor shall there
13 be an increase in the allocation for the personnel services expenditure category from
14 the initial allocation without prior approval of the commissioner of administration
15 and the Joint Legislative Committee on the Budget.

16 * * *

17 §87.2. Performance data; rewards and penalties; modifications to data

18 * * *

19 B. Key objectives, key performance indicators, and the performance
20 standards for such key performance indicators ~~which are~~ may be contained in the
21 ~~General Appropriation Act, Ancillary Appropriation Act, or any other appropriation~~
22 ~~act through which an executive branch agency receives an appropriation, shall be~~
23 ~~included in the agency's appropriation~~ executive budget. However, in each fiscal
24 year any key objectives and key performance indicators recommended and contained
25 in the executive budget supporting document for an agency which are not contained
26 in ~~an appropriation act~~ the executive budget, and which are not designated as key
27 performance objectives and key performance indicators by the commissioner of
28 administration, shall be designated as supporting objectives and supporting
29 performance indicators for that fiscal year. The availability of funds appropriated

1 shall be conditioned upon each agency's compliance with the provisions of R.S.
2 39:87.3, relative to reporting of performance.

3 C.(1) In order to ensure adoption of the most accurate expectations of agency
4 performance within the state budget, performance data contained in the ~~adopted~~
5 ~~budget~~ executive budget or the executive budget supporting document may be
6 adjusted at the beginning of the fiscal year.

7 * * *

8 §87.3. Performance progress reports

9 A. Each agency receiving an appropriation in the General Appropriation Act
10 or the Ancillary Appropriation Act shall produce a series of performance progress
11 reports. The reports shall provide the legislature with information on the agency's
12 actual progress toward achievement of that year's performance standards for
13 performance indicators contained within ~~the General Appropriation Act, the~~
14 ~~Ancillary Appropriation Act, and~~ the executive budget or the executive budget
15 supporting document. The Joint Legislative Committee on the Budget or a
16 subcommittee thereof, hereinafter referred to in this Section as the "committee", shall
17 prescribe the format and the method of transmission of the reports. The reports shall
18 be submitted to the committee, the legislative fiscal officer, the legislative auditor,
19 and the commissioner of administration, and shall contain data as provided in
20 Paragraphs (1) through (4) of this Subsection, as well as any other data required by
21 the committee relative to agency performance and accountability. The reporting
22 schedule and specific components of each report are as follows:

23 * * *

24 (2) The Mid-year Performance Progress Report shall be submitted to the
25 committee, the legislative fiscal officer, the legislative auditor, and the commissioner
26 of administration on or before February eighth of each year, and it shall contain data
27 for the period of July through December of the current fiscal year. It shall include:

28 (a) For each performance indicator included in the executive budget or
29 ~~executive budget supporting document or the General Appropriation Act or the~~

1 ~~Ancillary Appropriation Act~~, a comparison of the actual performance with the annual
2 performance standard therefor contained in the executive budget supporting
3 document ~~or the General Appropriation Act or the Ancillary Appropriation Act~~,
4 including a brief explanation of any variance from the standard which exceeds five
5 percent.

6 * * *

7 (3) The Third Quarter Performance Progress Report shall be submitted to the
8 committee, the legislative fiscal officer, the legislative auditor, and the commissioner
9 of administration on or before May eighth of each year, and it shall contain data for
10 the period of July through March of the current fiscal year. It shall include, for each
11 key performance indicator designated as such and contained in the ~~General~~
12 ~~Appropriation Act or the Ancillary Appropriation Act~~ executive budget or the
13 executive budget supporting document, a comparison of the actual performance with
14 the annual performance standard therefor, including a brief explanation of any
15 variance from the standard which exceeds five percent.

16 (4) The Year-end Performance Progress Report shall be submitted to the
17 committee, the legislative fiscal officer, the legislative auditor, and the commissioner
18 of administration on or before September eighth of each year. It shall contain data
19 from the immediately preceding fiscal year, and it shall cover the period of July
20 through June of that fiscal year, to include:

21 (a) For each performance indicator included in the executive budget or
22 executive budget supporting document ~~or the General Appropriation Act or the~~
23 ~~Ancillary Appropriation Act~~, a comparison of the actual performance with the annual
24 performance standard therefor contained in the executive budget supporting
25 document ~~or the General Appropriation Act or the Ancillary Appropriation Act~~,
26 including a brief explanation of any variance from the standard which exceeds five
27 percent.

28 * * *

Present law further requires certain minimum content to be included in the executive budget.

Proposed law retains present law and further allows for the executive budget to include key objectives and key performance indicators and for the commissioner of administration to designate the key performance information to be included in the executive budget.

Present law relative to the General Appropriation Bill, requires that the bill reflect a performance-based budget, with specific appropriations for each agency and its programs to include key objectives and key performance indicators. Present law further allows for the General Appropriation Bill to contain provisions for specific rewards or penalties for certain agencies as provided in the Louisiana Government Performance and Accountability Act.

Proposed law deletes the requirement that the General Appropriation Bill include key objectives and key performance indicators. Proposed law further deletes the provisions for specific rewards or penalties for certain agencies as provided in the Louisiana Government Performance and Accountability Act.

Proposed law requires the General Appropriation Bill to include the allocation of expenditures, itemized by category for each agency, as recommended for the ensuing fiscal year in the supporting document.

Proposed law allows the commissioner of administration to make adjustments to the initial allocation of expenditures by category as provided for in the enacted General Appropriation Act without approval of the Joint Legislative Committee on the Budget, except when funds are transferred to the personnel services category from any other expenditure category or when the personnel services category is increased from the initial allocation. Proposed law further provides that no amount shall be transferred to the personnel services expenditure category from any other expenditure category, nor shall there be an increase in the allocation for the personnel services expenditure category from the initial allocation without prior approval of the commissioner of administration and the Joint Legislative Committee on the Budget.

Present law requires that key objectives, key performance indicators, and the performance standards for such key performance indicators which are contained in the General Appropriation Act, Ancillary Appropriation Act, or any other appropriation act, be included in the agency's appropriation. Present law further requires any key objectives and key performance indicators recommended in the executive budget that are not contained in an appropriation act to be designated as supporting objectives and supporting performance indicators for that fiscal year.

Proposed law changes the documents to which the key objectives and performance indicators may be contained from the appropriation acts to the executive budget. Proposed law further provides that performance objectives recommended and contained in the executive budget supporting document for an agency which are not contained in the executive budget be designated as supporting objectives and supporting performance indicators by the commissioner of administration.

Present law provides for performance progress reports on agencies receiving appropriations in the General Appropriation Act or the Ancillary Appropriation Act. The reports are required to provide the legislature with information on the performance indicators contained in the General Appropriation Act, the Ancillary Appropriation Act and the executive budget supporting document.

Proposed law deletes the General Appropriation Act and the Ancillary Appropriation Act from the list of instruments to which the performance indicators are included in order to be reported on.

Effective July 1, 2014.

(Amends R.S. 39:2(23), (24), (46), and (47), 36(A), 51(C), 87.2(B) and (C)(1), and 87.3(A)(intro. para.), (2)(a), (3), and (4)(a) and (B))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Allowed for an option to include the key performance information in the executive budget or the executive budget supporting document.

House Floor Amendments to the engrossed bill.

1. Made technical amendments and amendments for clarification.