
DIGEST

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Harrison

HB No. 342

Abstract: Creates a Dept. of Elderly Affairs to be responsible for meeting the needs of La. residents age 60 years or older and for planning, monitoring, coordinating, and delivering services to the state's elderly and prohibits appropriation of funds for such functions to any other unit of the executive branch of state government.

Present constitution provides for the executive branch of state government and provides for allocation of the functions, powers, duties, and responsibilities of the executive branch within not more than 20 departments.

Proposed constitutional amendment creates a Dept. of Elderly Affairs as an executive branch department, which is not to be subject to or considered for purposes of the 20-department limit on the number of executive branch departments. Specifies that the legislature may allocate executive branch offices, agencies, and instrumentalities and their functions, powers, duties, and responsibilities to the department. Provides that the Dept. of Elderly Affairs is responsible for the functions of the state that are designed to meet the needs of La. residents age 60 or older and for planning, monitoring, coordinating, and delivering services to the state's elderly. Provides that the department shall have other powers, duties, and functions as authorized by the constitution or provided by law. Provides that all officers and employees of the department shall be in the classified state civil service, notwithstanding any provision of Const. Art. X to the contrary, and their appointments and compensation shall be in accordance with civil service rules.

Proposed constitutional amendment prohibits appropriation of funds for functions for which the Dept. of Elderly Affairs is responsible to any other organizational unit of the executive branch of state government, and provides that any funds appropriated for functions for which the department is responsible shall be deemed appropriated to the department.

Present law (Act No. 384 of 2013 R.S.) creates a Dept. of Elderly Affairs to become effective upon the effective date of the abolition of one or more of the 20 executive branch departments or the effective date of a constitutional amendment that authorizes creation of an additional executive branch department, whichever such effective date is earlier.

Proposed law provides that Sections 1-7 of Act No. 384 of the 2013 R.S., including any amendments enacted at the 2014 R.S., shall become effective on Jan. 1, 2015, if the constitutional amendment is ratified by the voters.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2014.

Effective Jan. 1, 2015, if ratified by the state's voters.

(Adds Const. Art. IV, §23))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill.

1. Provides that the Dept. of Elderly Affairs is not to be subject to or considered for purposes of the 20-department limit on the number of executive branch departments.