

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

**ELDERLY. (Constitutional Amendment) Creates and provides for a Department of Elderly Affairs.**

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DIGEST

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, except services provided to veterans from Louisiana Department of Veterans Affairs and services for which licensure or certification is not required by state or federal law.

Proposed constitutional amendment further provides that services and programs that are licensed or certified by the Department of Health and Hospitals will remain with such department. Provides that the department will have other powers, duties, and functions as authorized by the constitution or provided by law.

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.

Proposed constitutional amendment provides that funds appropriated to parish councils on aging that have a nationally accredited senior center within that parish will be allocated to both entities on a per capita basis.

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 July 1, 2014, if the constitutional amendment is ratified by the voters.

Proposed law provides that the Act that originated as House Bill 341 of the 2014 Regular Session is amended to read "Be it further resolved that this proposed amendment shall not be submitted to the electors of the state of Louisiana."

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

Effective July 1, 2015; if ratified by the 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.

## Summary of Amendments Adopted by Senate

### Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the engrossed bill

1. Provides that the Department of Elderly Affairs will be responsible for functions for which licensure or certification is not required by state or federal law.
2. Provides that the Department of Elderly Affairs will not be responsible for services provided to veterans by the Department of Veterans Affairs. The Department of Elderly Affairs will also not be responsible services and programs that are licensed or certified by the Department of Health and Hospitals.
3. Provides that funds appropriated to parish councils on aging which have a nationally accredited senior center within the parish will be allocated to both entities on a per capita basis.
4. Amends House Bill 341 of the 2014 Regular Session to provide that the proposed amendment will not be submitted to the electors of the state of Louisiana.
5. Changes the effective date from January 1, 2015 to July 1, 2015.
6. Changes ballot language to include that the Department of Elderly Affairs will not be responsible for services and programs that are licensed or certified by the Department of Health and Hospitals.