AN ACT

To amend and reenact Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:101 through 109, relative to state government; to recreate the Commission on Streamlining Government; to provide for the membership, powers, duties, and functions of the commission; to provide for recommendations of the commission, to provide procedures and deadlines for reporting; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:101 through 109, is hereby amended and reenacted to read as follows:

PART II. STREAMLINING GOVERNMENT

§101. Purpose and findings

A. The state of Louisiana faces a severe decline in revenues through fiscal year 2012 which, if no corrective action is taken, will leave a significant funding gap in state government expenditures and will create serious sustainability issues in the financing of state obligations.

B. It is essential that the state act now to reduce the cost of state government; through all means available, including efficiencies, economies, greater effectiveness, and other means to streamline government in order to overcome the projected severe revenue reductions occurring through 2012 and to ensure that available state tax...
dollars are being spent efficiently and effectively. Many state agencies were created over thirty years ago and a review of each agency and its activities, functions, programs, and services is needed to determine whether the purpose served by the agency or activity, function, program, or service continues to be relevant.

The COVID-19 pandemic has resulted in severe declines in revenue for both private and public sector entities and, if no action is taken, the state of Louisiana will face significant funding challenges threatening the ability to finance state obligations.

B. Like thousands of businesses in Louisiana being forced to reevaluate the nature and scope of their operations in these trying times, the state of Louisiana must do the same. It is imperative to act swiftly to reduce the operational costs of state government entities through all means necessary and available, including efficiencies, economies, enhanced effectiveness, and other means to streamline government and overcome the financial challenges in the near future.

C. While many changes were implemented following the activities of the Commission on Streamlining Government created in 2009, the COVID-19 pandemic and its impact on state funding has demonstrated that more must be done to reduce the operational costs of state entities.

§102. Definitions

As used in this Part, the following terms shall have the following meanings, unless the context requires otherwise:

(1) "Activity" means a distinct subset of functions or services within a program.

(2) "Agency" means and includes any office, department, board, commission, institution, division, office, instrumentality, or functional group, heretofore existing or hereafter created, that is authorized to exercise, or that does exercise, any functions in the executive branch of state government. "Agency" shall not mean any public institution of postsecondary education, any postsecondary education governing or management board, or any entity under the control of a
public institution of postsecondary education or postsecondary education governing
or management board:

(3) "Commission" means the Commission on Streamlining Government.

(4) "Functions" means duties, jurisdiction, powers, rights, and obligations,
conferred or imposed upon, or vested in, any agency by law, or exercised, performed,
or discharged by any agency without contravention of any provision of law.

(5) "Objective" is a specific and measurable target for achievement which
describes the exact results sought, which is expressed in an outcome-oriented
statement that may reflect effectiveness, efficiency, or quality of work, and which
may be either numeric or non-numeric.

(6) "Performance indicator" means a statement identifying an activity, input,
output, outcome, achievement, ratio, efficiency, or quality to be measured relative
to a particular goal or objective in order to assess an agency's performance.
Performance indicator shall also mean measurement of any other aspect of
performance as determined by rule issued by the commissioner of administration
under the provisions of the Administrative Procedure Act.

(7) "Performance standard" means the expected level of performance
associated with a particular performance indicator for a particular period.

(8) "Program" means a grouping of activities directed toward the
accomplishment of a clearly defined objective or set of objectives.

(9) "Quality" means degree or grade of excellence.

§103. Commission on Streamlining Government; established

A. There is established the Commission on Streamlining Government to
examine each agency's constitutional and statutory activities, functions, programs,
services, powers, duties, and responsibilities to determine which of these activities,
functions, programs, services, powers, duties, and responsibilities can be (1)
eliminated, (2) streamlined, (3) consolidated, (4) privatized, or (5) outsourced in an
effort to reduce the size of state government.
B. The commission shall target agencies whose activities, functions, programs, or services can be consolidated or eliminated, in addition to identifying opportunities for privatizing and outsourcing current state activities, functions, programs, or services.

C. The commission shall examine the necessity and performance of activities, functions, programs, and services to ensure that they are meeting current performance standards effectively and efficiently and they are meeting the needs of Louisiana citizens.

D. The commission shall be composed as follows:

(1) The commissioner of administration, or the commissioner's designee.

(2) The speaker of the House of Representatives, or the speaker's designee.

(3) The president of the Senate, or the president's designee.

(4) The state treasurer, or the treasurer's designee.

(5) The chairman of the House Committee on Appropriations, or the chairman's designee.

(6) The chairman of the Senate Committee on Finance, or the chairman's designee.

(7) Two individuals One individual engaged in private enterprise, appointed by the governor, which individuals individual shall be subject to Senate confirmation.

(8) One individual engaged in private enterprise, appointed by the speaker of the House of Representatives.

(9) One individual selected from a list of three individuals nominated by the AFL/CIO, and appointed by the president of the Senate, which individual shall be subject to Senate confirmation.

(10) The chairman of the Louisiana Economic Recovery Task Force or his designee.

(11) One individual engaged in private enterprise appointed by the Louisiana Legislative Black Caucus, which individual shall be subject to Senate confirmation.
E. The commission may hold public hearings as part of its evaluation process, and may appoint advisory groups to conduct studies, research, or analyses; and make reports and recommendations with respect to a matter within the jurisdiction of the commission. At least one member of the commission shall serve on each advisory group.

F.(1) The names of the persons who are to serve on the commission shall be submitted to the president of the Senate on or before July 15, 2020.

(2) The president of the Senate speaker of the House of Representatives shall call the first meeting of the commission which shall be held on or before July 30, 2020.

(3) At the first meeting, the members of the commission shall elect from their membership a chairman and vice chairman and such other officers as the commission may deem advisable. The president of the Senate speaker of the House of Representatives or his designee shall preside over the commission until a chairman is elected by the commission.

§104. Procedure

A. Reports submitted by the Commission on Streamlining Government pursuant to this Section may include any of or any combination of the following:

(1) Recommendations to eliminate, streamline, consolidate, privatize, or outsource constitutional and statutory agency activities, functions, programs, services, powers, duties, and responsibilities to provide the same or greater type and quality of activity, function, program, or service that will result in cost reduction or greater efficiency or effectiveness.

(2) Recommendations to ensure that agency activities, functions, programs, and services are not duplicative and are necessary, meeting or exceeding performance standards, and meeting the needs of Louisiana citizens.

(3) Recommendations for the elimination, consolidation, privatization, or outsourcing of an agency to provide a more cost efficient or more effective manner of providing an activity, function, program, or service.
(4) Recommendations providing for the use of alternative resources to for
the operation of agencies, activities, functions, programs, and services to provide
them in a more cost-effective manner without impacting the quality or availability
of needed services.

(5) Recommendations for standards, processes, and guidelines for agencies
to use in order to review and evaluate government activities, functions, programs,
and services to eliminate, streamline, consolidate, privatize, or outsource.

B.(1) The commission shall submit an initial report of its recommendations,
including recommendations requiring legislation or administrative action, to the
governor, the president of the Senate, the speaker of the House of Representatives,
the Senate and Governmental Affairs Committee, the House and Governmental
Affairs Committee, and the commissioner of administration no later than December

(2) The commission shall prepare the recommendations in the report as a
reorganization plan and submit the plan to the Senate and Governmental Affairs
Committee and the House and Governmental Affairs Committee for consideration
by January 4, 2021, and the committees, meeting as a joint committee, shall
review the plan by February 1, 2021.

(3) Executive and legislative action as may be necessary to implement the
reorganization plan as approved or modified by the two committees meeting jointly
shall be taken as soon as possible.

C. The commission shall submit a report annually before January first
consisting of the status and implementation of the reorganization plan approved by
the Senate and Governmental Affairs Committee and the House and Governmental
Affairs Committee to the governor, the president of the Senate, the speaker of the
House of Representatives, the Senate and Governmental Affairs Committee, the
House and Governmental Affairs Committee, and the commissioner of
administration.
§105. Staff support

The staffs of the Senate, House of Representatives, legislative Fiscal Office, legislative fiscal office, legislative auditor, office of the governor, and division of administration may provide staff support and otherwise assist the commission as requested by the commission. The commission may submit a written request to the president of the Senate, the speaker of the House of Representatives, the legislative fiscal officer, the legislative auditor, or the commissioner of administration, for specific support and assistance to be provided by the staffs of their respective agencies.

§106. Agency cooperation and assistance

A. Each agency and political subdivision shall furnish aid, services, and assistance as may be requested by the commission.

B. To the extent permitted by and in accordance with R.S. 44:1 et seq., each officer, agency, and political subdivision shall make available all facts, records, information, and data requested by the commission and in all ways cooperate with the commission in carrying out the functions and duties imposed by this Part.

§107. Finances

A. The commission may apply for, contract for, receive, and expend for purposes of this Part any appropriation or grant from the state, its political subdivisions, the federal government, or any other public or private source.

B. The books and records of the commission shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

§108. Effect on other law

This Part shall not be deemed to supercede or limit the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

§109. Termination of Part

This Part shall become null and of no effect on January 12, 2023.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature.
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part
of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute
part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 46 Original 2020 First Extraordinary Session Magee

Abstract: Reestablishes the Commission on Streamlining Government and provides for its
membership, powers, functions, and duties.

Present law, which terminated in 2012, establishes the Commission on Streamlining
Government to examine each agency's constitutional and statutory activities, functions,
programs, services, powers, duties, and responsibilities, and to determine which of these
activities, functions, programs, services, powers, duties, and responsibilities can be
eliminated, streamlined, consolidated, privatized, or outsourced in an effort to reduce the
size of state government.

Present law provides that the commission is to target agencies whose activities, functions,
programs, or services can be consolidated or eliminated, in addition to identifying
opportunities for privatizing and outsourcing current state activities, functions, programs,
or services.

Present law provides that the commission is to examine the necessity and performance of
activities, functions, programs, and services in order to ensure that they are meeting current
performance standards effectively and efficiently and that they are meeting the needs of La.
citizens.

Proposed law retains present law and makes it effective.

Present law provides that the commission is composed as follows:

(1) The commissioner of administration, or the commissioner's designee.
(2) The speaker of the House of Representatives, or the speaker's designee.
(3) The president of the Senate, or the president's designee.
(4) The state treasurer, or the treasurer's designee.
(5) The chairman of the House Committee on Appropriations, or the chairman's
designee.
(6) The chairman of the Senate Committee on Finance, or the chairman's designee.
(7) Two individuals engaged in private enterprise, appointed by the governor subject to
Senate confirmation. Proposed law provides instead for one individual engaged in
private enterprise, appointed by the governor subject to Senate confirmation.
(8) One individual engaged in private enterprise, appointed by the speaker of the House
of Representatives.

CODING: Words in struck through type are deletions from existing law; words underscored
are additions.
(9) One individual selected from a list of three individuals nominated by the AFL/CIO, and appointed by the president of the Senate subject to Senate confirmation.

Proposed law further adds the following members to the commission:

(1) The chairman of the La. Economic Recovery Task Force or his designee.

(2) One individual engaged in private enterprise appointed by the La. Legislative Black Caucus subject to Senate confirmation.

Present law provides that the names of persons who are to serve on the commission shall be submitted to the president of the Senate on or before July 15, 2009. Proposed law provides instead that the names shall be submitted to the speaker of the House on or before July 15, 2020.

Present law provides that the president of the Senate shall call the first meeting of the commission to be held on or before July 30, 2009. Proposed law provides instead that the speaker of the House shall call the first meeting on or before July 30, 2020.

Present law provides that at the first meeting, the members shall elect from their membership a chairman, vice chairman, and such other officers as advisable and provides that the president of the Senate or his designee shall preside over the commission until a chairman is elected. Proposed law provides instead that the speaker of the House or his designee shall preside over the commission until a chairman is elected and otherwise retains present law.

Present law provides that the commission may hold public hearings as part of its evaluation process, and may appoint advisory groups to conduct studies, research or analyses, and make reports and recommendations. Present law requires that at least one member of the commission serve on each advisory group. Proposed law retains present law.

Present law provides that reports submitted by the commission may include any of the following:

(1) Recommendations to eliminate, streamline, consolidate, privatize, or outsource agency activities, functions, programs, services, powers, duties, and responsibilities to provide the same or greater type and quality of activity, function, program, or service that will result in cost reduction or greater efficiency or effectiveness.

(2) Recommendations to ensure that agency activities, functions, programs, and services are necessary, meeting or exceeding performance standards, and meeting the needs of La. citizens.

(3) Recommendations for the elimination, consolidation, privatization, or outsourcing of an agency to provide a more cost efficient or more effective manner of providing an activity, function, program, or service.

(4) Recommendations providing for the use of alternative resources for the operation of agencies, activities, functions, programs, and services to provide them in a more cost-effective manner without impacting the quality or availability of needed services.

(5) Recommendations for standards, processes, and guidelines for agencies to use in order to review and evaluate government activities, functions, programs, and services to eliminate, streamline, consolidate, privatize, or outsource.

Proposed law retains present law.
Present law requires the commission to submit an initial report of its recommendations, including recommendations requiring legislation or administrative action, to the governor, the Senate president, the House speaker, the Senate and Governmental Affairs Committee, the House and Governmental Affairs Committee, and the commissioner of administration, no later than Dec. 15, 2009. Proposed law changes the deadline to Dec. 15, 2020, and other retains present law.

Present law requires that the commission prepare the recommendations in the report as a reorganization plan and submit the plan to the Senate and Governmental Affairs Committee and the House and Governmental Affairs Committee for consideration by Jan. 4, 2010. Proposed law changes the deadline to Jan. 4, 2021, and otherwise retains present law.

Present law provides that the committees, meeting as a joint committee, shall review the reorganization plan by Feb. 1, 2010, and may recommend adoption of the plan with such additions, deletions, or modifications to the plan as the two committees meeting jointly deem necessary. Proposed law changes the deadline to Feb. 1, 2021, and otherwise retains present law.

Present law requires that legislative and executive action necessary to implement the approved reorganization plan be taken as soon as possible.

Present law requires the commission to provide a report annually before Jan. first consisting of the status and implementation of the approved reorganization plan to the governor, the Senate president, the House speaker, the Senate and Governmental Affairs Committee, the House and Governmental Affairs Committee, and the commissioner of administration.

Present law provides that the staffs of the Senate, House of Representatives, legislative fiscal office, legislative auditor, office of the governor, and division of administration may provide staff support and otherwise assist the commission as requested by the commission. Further provides that the commission may submit a written request for specific support and assistance from the staff of the above agencies.

Present law requires each agency and political subdivision to furnish aid, services, and assistance as may be requested by the commission. Present law requires, to the extent permitted by the Public Records Law, that each officer, agency, and political subdivision make available all facts, records, information, and data requested by the commission and in all ways cooperate with the commission in carrying out the functions and duties imposed by present law.

Present law authorizes the commission to apply for, contract for, receive, and expend for the purpose of present law any appropriation or grant from the state, its political subdivisions, the federal government, or any other public or private source. Present law further provides that the books and records of the commission are subject to audit by the legislative auditor.

Present law provides that present law will not be deemed to supercede or limit present law regarding the review and re-creation of state agencies.

Proposed law retains present law.

Present law defines terms for its purposes including "activity", "agency", "commission", "functions", "objective", "performance indicator", "performance standard", "program", and "quality".

Proposed law retains present law definitions except proposed law removes an exclusion covering institutions, boards, and other entities of public postsecondary education from the definition of "agency".

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

(Amends R.S. 24:101-109)