

2016 Regular Session

HOUSE BILL NO. 743

BY REPRESENTATIVE SCHRODER

STATE DEPARTMENTS: Provides for a subcommittee of the Joint Legislative Committee on the Budget to conduct sunset reviews of state departments

1 AN ACT

2 To amend and reenact R.S. 49:193(B)(introductory paragraph) and to enact R.S. 24:653(N),  
3 relative to the Joint Legislative Committee on the Budget; to establish a statutory  
4 entity review subcommittee; to provide for the powers, duties, and functions of such  
5 subcommittee; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 24:653(N) is hereby enacted to read as follows:

8 §653. Duties and functions

9 \* \* \*

10 N.(1) The committee shall have a statutory entity review subcommittee  
11 which shall review and evaluate statutory entities to make evaluations to achieve the  
12 following:

13 (a) The elimination of inactive entities.

14 (b) The elimination or consolidation of entities, programs, or activities which  
15 duplicate other governmental entities, programs, or activities.

16 (c) The elimination of unnecessary entities, programs, or activities or  
17 entities, programs, or activities which no longer serve the public interest.

18 (d) The elimination or improvement of inefficient or ineffective entities,  
19 programs, or activities.

1           (e) The elimination or revision of entities, programs, or activities that are  
2           inconsistent with the intent of legislation authorizing the entity, program, or activity.

3           (2) The committee, by its own rules, motions, or resolutions, shall provide  
4           for the size, membership, appointment, all administrative matters, and the delegated  
5           powers and duties of the statutory entity review subcommittee.

6           (3) The statutory entity review subcommittee shall conduct the review,  
7           analysis and study of the listings required under R.S. 49:19.1(B) of all legislatively  
8           authorized programs and Acts of the legislature directing any activity to be  
9           administered by the budget unit for which implementing funds were not appropriated  
10          in the prior fiscal year and shall report its findings and recommendations to the  
11          committee in sufficient time for the committee to incorporate its findings and  
12          recommendations in the report the committee is required to submit under R.S.  
13          49:191.1(B).

14          (4) The statutory entity review subcommittee may review and conduct  
15          hearings on the information received by the appropriate standing committees from  
16          a statutory entity as part of the procedure for re-creation of any statutory entity to be  
17          terminated under the provisions of R.S. 49:190, et seq. If the appropriate standing  
18          committee does not provide notice of termination and evaluation to the statutory  
19          entity to be terminated, the statutory entity review subcommittee may send notice of  
20          termination and evaluation.

21          (5) The statutory entity review subcommittee may conduct the oversight  
22          hearings of the undersecretary reports of the House Committee on Appropriations  
23          and the Senate Committee of Finance required by R.S.36:8(C).

24          (6) The statutory entity review subcommittee may request the assistance of  
25          the Legislative Fiscal Office and the legislative auditor to compile pertinent  
26          information about any statutory entity under review by the statutory entity review  
27          subcommittee.

28          Section 2. R.S. 49:193(B)(introductory paragraph) is hereby amended and reenacted  
29          to read as follows:



committees by the presiding officer of each house and are required to provide information to the standing committees.

Proposed law authorizes the review subcommittee to request the same information statutory entities are required to submit to the standing committees. Further requires the statutory entities to provide to the JLCB the same information submitted to the standing committees.

Present law establishes the purposes of the evaluations of the standing committees as:

- (1) The elimination of inactive entities.
- (2) The elimination or consolidation of entities, programs, or activities which duplicate other governmental entities, programs, or activities.
- (3) The elimination of unnecessary entities, programs, or activities or entities, programs, or activities which no longer serve the public interest.
- (4) The elimination or improvement of inefficient or ineffective entities, programs, or activities.
- (5) The elimination or revision of entities, programs, or activities that are inconsistent with the intent of legislation authorizing the entity, program, or activity.

Proposed law establishes the same purposes of the evaluations for the review subcommittee.

#### **TERMINATION OF UNFUNDED PROGRAMS AND ACTS**

Present law (R.S. 49:191.1) requires each state budget unit to compile a listing of all legislatively authorized programs directing any activity to be administered by the budget unit for which implementing funds were not appropriated in the prior fiscal year. Requires the reports to be submitted to the JLCB. Requires the JLCB to submit its findings and recommendations to the members of the legislature not later than two weeks prior to each regular session of the legislature.

Proposed law authorizes the review subcommittee to conduct the review, analysis and study of the listings required under present law and report its findings and recommendations to the JLCB in time for the committee to incorporate the findings in the report the JLCB is required to submit under present law.

#### **UNDERSECRETARY REPORT**

Present law (R.S. 36:8(C)) requires each department secretary to submit the undersecretary report prior to Dec. 5 of each year relating to management and program analysis to the House Committee on Appropriations, to the Senate Committee on Finance, and to the legislative standing committee having oversight of the department. The legislative committees which receive reports as provided present law shall conduct hearings to review such reports.

Proposed law authorizes the review subcommittee to conduct the hearings of the House Committee on Appropriations and the Senate Committee on Finance required in present law.

(Amends R.S. 49:193(B)(intro. para.); Adds R.S. 24:653(N))