
DIGEST

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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.
- (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".

Present law became null and of no effect on Jan. 12, 2012. Proposed law, including present law retained, terminates to Jan. 12, 2023.

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

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