

SENATE BILL NO. 100

BY SENATOR DONAHUE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 39:29(A) and (B) and 32(E)(3) and (7) and to enact R.S.
3 39:2(40.1) and 29(C) and (D), relative to budgets; to provide for the budget office
4 under the direction of the division of administration to produce a nondiscretionary
5 adjusted standstill budget; to define and describe the elements of the
6 nondiscretionary adjusted standstill budget; to provide for the utilization of the
7 nondiscretionary adjusted standstill budget in the executive budget contents; to
8 provide for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 39:29(A) and (B) and 32(E)(3) and (7) are hereby amended and
11 reenacted and R.S. 39:2(40.1) and 29(C) and (D) are hereby enacted to read as follows:

12 §2. Definitions

13 As used in this Chapter, except where the context clearly requires otherwise,
14 the words and expressions defined in this Section shall be held to have the meanings
15 here given to them.

16 * * *

17 **(40.1) "Nondiscretionary adjusted standstill budget" shall mean and**
18 **shall contain the following:**

19 **(a) The budget unit's current-year existing operating budget as of**

1 December first.

2 (b) Nondiscretionary expenditures including the costs to provide such
3 expenditures in the ensuing fiscal year.

4 (c) The mandatory statewide adjustments provided for in R.S. 39:29 for
5 the ensuing fiscal year.

6 (d) Discretionary expenditures at the existing operating budget level as
7 of December first for the current fiscal year without growth.

8 (e) Adjustments for the elimination of nonrecurring expenditures. In the
9 event mid-year reductions occur after December first, an addendum to the
10 nondiscretionary adjusted standstill budget shall be submitted with the
11 governor's executive budget. The nondiscretionary adjusted standstill budget
12 shall incorporate growth for nondiscretionary expenditures required by law or
13 administrative rule in the current fiscal year.

14 * * *

15 §29. Budget guidelines

16 A.(1) On or before the twentieth day of September of each year, the budget
17 office shall furnish to each budget unit a set of specific guidelines under which the
18 budget unit shall provide information to allow the budget office to ~~establish~~ **prepare**
19 **a nondiscretionary adjusted standstill budget and** a continuation budget.

20 (2) The **nondiscretionary adjusted standstill budget and the** continuation
21 budget shall **each** be prepared by the budget office and submitted to the Joint
22 Legislative Committee on the Budget at the first meeting of the Joint Legislative
23 Committee on the Budget after January first of each year.

24 ~~B.(3)~~ These guidelines shall reflect the most recent economic statistics
25 available in regard to inflation, employment, population, and other socioeconomic
26 factors.

27 **B.(1) A budget unit shall submit its nondiscretionary adjusted standstill**
28 **budget estimate for the ensuing year in accordance with annual instructions to**
29 **be provided by the division of administration. The format of the instructions**
30 **shall be prepared by the division of administration working in conjunction with**

1 Senate fiscal staff, House of Representatives fiscal staff, and a representative
2 from the legislative fiscal office. The annual instructions shall contain the
3 nondiscretionary functions in the existing operating budget for each budget unit
4 as of December first of the current fiscal year. The division of administration
5 shall send the instructions for the nondiscretionary adjusted standstill budget
6 estimates at the same time as the instructions are sent to the agencies for the
7 annual budget request submission.

8 (2) Each agency is directed to include in the nondiscretionary adjusted
9 standstill budget estimate all nondiscretionary requirements.

10 (3) The commissioner of administration shall establish a date for
11 submission of the nondiscretionary adjusted standstill budget estimates, which
12 date shall afford the commissioner of administration sufficient time to prepare
13 the nondiscretionary adjusted standstill budget for inclusion in the continuation
14 budget document. The nondiscretionary adjusted standstill budget estimates
15 shall be on the forms and in the manner prescribed in this Section and shall be
16 accompanied by such other data as may be required, together with such
17 additional information as the governor may request.

18 (4) Upon receipt of the budget unit's nondiscretionary adjusted standstill
19 budget estimates, the division of administration shall review the estimates for
20 reasonableness and shall combine the agency estimates with the mandatory
21 statewide standard adjustments provided for in the continuation budget, which
22 shall constitute the nondiscretionary adjusted standstill budget for the ensuing
23 fiscal year.

24 C. The nondiscretionary adjusted standstill budget shall be derived and
25 based upon the assumption that the current law and current administrative
26 procedures will remain in effect for the forecast period.

27 D. The nondiscretionary adjusted standstill budget and the continuation
28 budget shall be contained in one document and shall be in a format which
29 compares the budgets by budget unit, on the same page. For purposes of this
30 Section, there shall be no less than four columns in this document:

1 (1) The first column shall represent the budget unit's current-year
2 existing operating budget as of December first.

3 (2) The second column shall represent the nondiscretionary adjusted
4 standstill budget which shall be the budget unit's current-year existing
5 operating budget as of December first, including the cost to provide the
6 mandatory expenditures in the ensuing fiscal year, and the growth in the
7 mandatory statewide adjustments.

8 (3) The third column shall be the continuation budget as provided for in
9 this Section.

10 (4) The fourth column shall represent the difference between the
11 nondiscretionary adjusted standstill budget and the continuation budget. The
12 nondiscretionary adjusted standstill budget shall be presented at the same
13 meeting of the Joint Legislative Committee on the Budget as the continuation
14 budget as provided in Paragraph (A)(2) of this Section.

15 * * *

16 §32. Budget request contents

17 * * *

18 E. A personnel table as defined by this Subsection shall be included with the
19 budget request. The table shall contain information and be in a form as required by
20 the budget office and shall include authorized, estimated, and requested positions
21 organized according to programs or subprograms as follows:

22 * * *

23 (3) The number of positions estimated for the **nondiscretionary adjusted**
24 **standstill budget and the** continuation budget for the next fiscal year and the
25 number classified and unclassified.

26 * * *

27 (7) The estimated amount for salaries continuing for the positions estimated
28 for the **nondiscretionary adjusted standstill budget and the** continuation budget
29 for the next fiscal year.

30 * * *

1 Section 2. This Act shall become effective on July 1, 2017; if vetoed by the governor
2 and subsequently approved by the legislature, this Act shall become effective on July 1,
3 2017, or on the day following such approval by the legislature, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____