

SENATE BILL NO. 27

BY SENATORS WHITE AND MCMATH

1 AN ACT

2 To amend and reenact Part II of Chapter 2 of Title 24 of the Louisiana Revised Statutes of
3 1950, comprised of R.S. 24:101 through 109, relative to state government; to create
4 the Streamlining Government Commission; to provide for the membership, powers,
5 duties, and functions of the commission; to provide for recommendations of the
6 commission; to provide procedures and deadlines for reporting; and to provide for
7 related matters.

8 Be it enacted by the Legislature of Louisiana:

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

11 PART II. STREAMLINING GOVERNMENT

12 §101. Purpose and findings

13 A. ~~The state of Louisiana faces a severe decline in revenues through fiscal~~
14 ~~year 2012 which, if no corrective action is taken, will leave a significant funding gap~~
15 ~~in state government expenditures and will create serious sustainability issues in the~~
16 ~~financing of state obligations.~~ **The COVID-19 pandemic has resulted in severe**
17 **declines in revenue for both private and public sector entities and, if no action**
18 **is taken, the state of Louisiana will face significant funding challenges**
19 **threatening the ability to finance state obligations.**

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

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

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

11 §102. Definitions

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

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

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

24 (3) "Commission" means the ~~Commission on~~ Streamlining Government
25 Commission.

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

29 (5) "Objective" is a specific and measurable target for achievement which
30 describes the exact results sought, which is expressed in an outcome-oriented

1 statement that may reflect effectiveness, efficiency, or quality of work, and which
2 may be either numeric or non-numeric.

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

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

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

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

14 §103. ~~Commission on~~ Streamlining Government **Commission**; established

15 A. There is established the ~~Commission on~~ Streamlining Government
16 **Commission** to examine each agency's constitutional and statutory activities,
17 functions, programs, services, powers, duties, and responsibilities to determine which
18 of these activities, functions, programs, services, powers, duties, and responsibilities
19 can be ~~(1)~~ eliminated, ~~(2)~~ streamlined, ~~(3)~~ consolidated, ~~(4)~~ privatized, or ~~(5)~~
20 outsourced in an effort to reduce the size of state government.

21 B. The commission shall target agencies whose activities, functions,
22 programs, or services can be consolidated or eliminated, in addition to identifying
23 opportunities for privatizing and outsourcing current state activities, functions,
24 programs, or services.

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

29 D. The commission shall be composed as follows:

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

1 **president of the Senate, or the president's designee.**

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

3 (3) The ~~president of the Senate, or the president's designee~~ **legislative**
4 **auditor.**

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

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

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

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

12 (8) One individual engaged in private enterprise, appointed by the speaker of
13 the House of Representatives, **which individual shall be subject to Senate**
14 **confirmation.**

15 (9) One individual ~~selected from a list of three individuals nominated by the~~
16 ~~AFL/CIO~~ **engaged in private enterprise**, and appointed by the president of the
17 Senate, which individual shall be subject to Senate confirmation.

18 **(10) One representative of the Public Affairs Research Council of**
19 **Louisiana, which individual shall be subject to Senate confirmation.**

20 **(11) One representative of the Council for a Better Louisiana, which**
21 **individual shall be subject to Senate confirmation.**

22 **(12) One individual, appointed by the president of the Senate, selected**
23 **from a list of three individuals nominated by the Louisiana AFL-CIO, which**
24 **individual shall be subject to Senate confirmation.**

25 E. The commission may hold public hearings as part of its evaluation process,
26 and may appoint advisory groups to conduct studies, research, or analyses, and make
27 reports and recommendations with respect to a matter within the jurisdiction of the
28 commission. At least one member of the commission shall serve on each advisory
29 group.

30 F.(1) The names of the persons who are to serve on the commission shall be

1 submitted to the president of the Senate on or before July 15, ~~2009~~ 2020.

2 (2) The president of the Senate shall call the first meeting of the commission
3 which shall be held on or before July 30, ~~2009~~ 2020.

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

8 §104. Procedure

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

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

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

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

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

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

30 B.(1) The commission shall submit an initial report of its recommendations,

1 including recommendations requiring legislation or administrative action, to the
2 governor, the president of the Senate, the speaker of the House of Representatives,
3 the Senate and Governmental Affairs Committee, the House and Governmental
4 Affairs Committee, and the commissioner of administration no later than December
5 15, ~~2009~~ 2020.

6 (2) The commission shall prepare the recommendations in the report as a
7 reorganization plan and submit the plan to the Senate and Governmental Affairs
8 Committee and the House and Governmental Affairs Committee for consideration
9 by January 4, ~~2010~~ 2021, and the committees, meeting as a joint committee, shall
10 review the plan by February 1, ~~2010~~ 2021.

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

14 C. The commission shall submit a report annually before January first
15 consisting of the status and implementation of the reorganization plan approved by
16 the Senate and Governmental Affairs Committee and the House and Governmental
17 Affairs Committee to the governor, the president of the Senate, the speaker of the
18 House of Representatives, the Senate and Governmental Affairs Committee, the
19 House and Governmental Affairs Committee, and the commissioner of
20 administration.

21 §105. Staff support

22 The staffs of the Senate, House of Representatives, ~~Legislative Fiscal Office,~~
23 legislative fiscal office, legislative auditor, office of the governor, and division of
24 administration ~~may~~ shall, upon request, provide staff support and otherwise assist
25 the commission as requested by the commission. The commission may submit a
26 written request to the president of the Senate, the speaker of the House of
27 Representatives, the legislative fiscal officer, the legislative auditor, or the
28 commissioner of administration, for specific support and assistance to be provided
29 by the staffs of their respective agencies.

30 §106. Agency cooperation and assistance

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

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

7 §107. Finances

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

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

13 §108. Effect on other law

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

16 §109. Termination of Part

17 This Part shall become null and of no effect on January 12, ~~2012~~ **2023**.

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

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____