HLS 13RS-384 ORIGINAL

Regular Session, 2013

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HOUSE CONCURRENT RESOLUTION NO. 34

BY REPRESENTATIVE CARMODY

BUDGETARY PROCEDURES: Urges and requests the governor to submit an executive budget and General Appropriation Bill which clearly differentiate expenditures which are reliant upon other legislative actions

A CONCURRENT RESOLUTION

2	To urge and request the governor to submit an executive budget and General Appropriation
3	Bill which clearly differentiate expenditures which are reliant upon other legislative
4	actions.
5	WHEREAS, Article VII, Section 11(A) of the Constitution of Louisiana requires the
6	governor to submit to the legislature, at the time and in the form fixed by law, a budget
7	estimate for the next fiscal year setting forth all proposed state expenditures; and
8	WHEREAS, Article VII, Section 11(B) of the Constitution of Louisiana requires the
9	governor to cause to be submitted a General Appropriation Bill for proposed ordinary
10	operating expenditures which shall be in conformity with the recommendations for
11	appropriations contained in the budget estimate; and
12	WHEREAS, Article VII, Section 11(B) of the Constitution of Louisiana further
13	authorizes the governor to cause to be submitted a bill or bills to raise additional revenues
14	with proposals for the use of these revenues; and
15	WHEREAS, R.S. 39:34(A) provides that the executive budget "shall include
16	recommendations for appropriations from the state general fund and dedicated funds which
17	shall not exceed the official forecast of the Revenue Estimating Conference"; and
18	WHEREAS, R.S. 39:38(A) states "Any proposals by the governor to enhance
19	revenues for the ensuing fiscal year beyond the official forecast shall be itemized and
20	projected separately and shall constitute a submission by the governor separate and apart

1	from the recommendations in the executive budget based on the official forecast as provided
2	in Article VII, Section 11(A) of the Constitution of Louisiana and under the provisions of
3	this Chapter. Any such submission shall include a description of the proposed uses and
4	programmatic impacts of the enhanced revenues."; and
5	WHEREAS, the Executive Budget for Fiscal Year 2012-2013 includes a
6	supplementary recommendation of \$207 million from the Louisiana Medical Assistance
7	Trust Fund "contingent upon the legislative approval of transfer of fund balances delineated
8	in the funds bill to the Louisiana Medical Assistance Trust Fund" and a supplementary
9	recommendation of \$41.1 million from the Overcollections Fund "contingent upon the
10	legislative approval of transfer of funds balances delineated in the funds bill to the
11	Overcollections Fund"; and
12	WHEREAS, the supplementary budget recommendation of \$207 million from the
13	Louisiana Medical Assistance Trust Fund was incorporated within the total nonfederal
14	appropriations of \$2.2 billion for medical vendor payments in the Department of Health and
15	Hospitals; and
16	WHEREAS, the \$825 million appropriation for the LSU Health Care Services
17	Division included \$574 million of interagency transfers from medical vendor payments and
18	\$41 million from the Overcollections Fund; and
19	WHEREAS, Section 3.A. of the General Appropriation Act of the 2012 Regular
20	Session of the Legislature of Louisiana authorizes the governor to transfer functions of
21	departments, agencies, programs, or budget units for the purpose of economizing the
22	operations of state government by executive order, but provides that each transfer must be
23	approved by the commissioner of administration and the Joint Legislative Committee on the
24	Budget and that such transfers shall not violate the provisions of Title 36, Organization of
25	the Executive Branch of State Government; and
26	WHEREAS, the Executive Budget for Fiscal Year 2012-2013 provided for a merger
27	of the Office of Elderly Affairs within the Executive Department into the Office of Aging
28	and Adult Services in the Department of Health and Hospitals while R.S. 36:4(B)(6)
29	provides that the office of elderly affairs shall be in the office of the governor within the
30	executive department.

HLS 13RS-384

- 1 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
- 2 urge and request the governor to submit an executive budget and cause to be submitted a
- 3 General Appropriation Bill which clearly differentiates expenditures which are reliant upon
- 4 other legislative actions.
- 5 BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge
- 6 and request the governor to itemize and project separately those expenditures which are
- 7 contingent upon the transfer of fund balances delineated in a funds bill from the other
- 8 recommendations in the executive budget and General Appropriation Bill.
- 9 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
- 10 commissioner of administration.

## **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)]

Carmody HCR No. 34

Urges the governor to submit an executive budget and cause to be submitted a General Appropriation Bill which clearly differentiates expenditures which are reliant upon other legislative actions.

Requests that the governor itemize and project separately those expenditures which are contingent upon the transfer of fund balances delineated in a funds bill from the other recommendations in the executive budget and General Appropriation Bill.