

BOBBY JINDAL
GOVERNOR



ANGELE DAVIS
COMMISSIONER OF ADMINISTRATION

State of Louisiana
Division of Administration
Office of Planning and Budget

MEMORANDUM

TO: All State Agencies (Secretaries, Agency Heads, Undersecretaries, and Fiscal Officers)

FROM: Ray L. Stockstill, Assistant Commissioner 

DATE: July 1, 2010

SUBJECT: Procedures for Re-budgeting of Funds from Prior Fiscal Year

Title 39:82B of the Louisiana Revised Statutes deals with re-budgeting of funds from the prior fiscal year into the new fiscal year. The statute reads:

"§82. B. The commissioner of administration may, with the approval of the Joint Legislative Committee on the Budget, incorporate into the new fiscal year's appropriation any appropriations from the prior fiscal year **against which bona fide obligations existed** on the last day of the fiscal year. No transactions shall be approved in this manner after the forty-fifth day following the last day of the fiscal year."

The commissioner will limit approval of carryforward items to those of critical importance and to those cases where delayed liquidation was truly beyond the control of the agencies involved. In general, departments should have ordered all necessary items well enough in advance to ensure timely liquidation.

To secure the required approvals within the limited time frame discussed above, it is necessary that each agency with a critical carryforward need, submit a midyear adjustment request (BA-7) on or before **July 20, 2010**, to the Office of Planning and Budget (OPB), the Legislative Fiscal Office, and the Joint Legislative Committee on the Budget (JLCB). These BA-7s should reflect an increase in the appropriate Means of Financing and Expenditure categories, and must be accompanied by the proper supporting documentation. This documentation must include the purchase order number, contract number, amount, date, a clear justification for the need to carry forward, and an explanation of any impact on performance in the new fiscal year. Also, the BA-7 should be clearly identified as a carryforward on the top of the first page of the form.

The request to re-budget must not exceed the prior year's remaining appropriation. The BA-7 must include a written certification, which can be part of the BA-7 documentation, stating there will be a sufficient cash balance in the respective Means of Financing in the State Treasury to pay for the encumbrances; however, in the event the cash is not currently on deposit with the State Treasurer,

then a detailed explanation, included in the BA-7 documentation, must be provided explaining how and when the cash will be collected. By approving and submitting the BA-7 to the OPB, agencies heads are thus confirming that enough cash will be available to satisfy the agency's request. If the OPB subsequently determines that your agency does not have sufficient cash, or if items have been liquidated by your agency, your BA-7 will be reduced or rejected, accordingly. In addition, any agency that submits a BA-7 with multiple Means of Financing must explain how the Means of Financing is related to each encumbrance listed on the BA-7.

All BA-7s submitted pursuant to R.S. 39:82C (federal/state match) where you have an appropriation in the ensuing fiscal year from that Means of Financing should be submitted separately from those discussed above since approval by the JLCB is not required. Full justification for these requests must be provided, however, and approval will be based on individual merits. BA-7s addressing federal funds should be submitted at the same time as the other carryforward BA-7s, but no later than August 6, 2010.

Please note: If you are submitting a BA-7 pursuant to R.S. 39:82C (federal/state match) and you do not have a subsequent appropriation in the ensuing fiscal year from that Means of Financing, the BA-7 should be submitted on or before July 20, 2010, as it will have to be acted upon by the JLCB.

An Advantage Financial Systems (AFS) budget transaction appropriated program (AP) must be entered for each BA-7 that re-budgets prior year funds into the new Fiscal Year 2010-2011. This new appropriation will require input of expenditure budgets (EBs) and revenue budgets (RBs) into AFS. EBs and RBs require the approval of the OPB.

In the event an agency has an ongoing Interim Emergency Board (IEB) project, a BA-7 with full justification must be submitted by **July 20, 2010**. These BA-7s should be submitted to the Interim Emergency Board, Attention: Ms. Cynthia Duhon, Secretary, P. O. Box 44500, Room B-153, Baton Rouge, Louisiana 70804-4500. Alternatively, they may be hand delivered to Ms. Duhon in the House Basement (Acadiana Delegation Office) at the State Capitol. Each project must conform to the statutory provisions of R.S. 39:82 as applicable. **Again, these BA-7s do not come to the Office of Planning and Budget, but go directly to the IEB.**

For all carryforward BA-7s, please truncate the pennies. Do not round up! Failure to do so will cause a delay in approval and the possibility of having to submit an additional BA-7 to reduce the appropriation by \$1.

If you have any questions or problems regarding this issue, please contact your OPB Budget Analyst.

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c: Ms. Angele Davis, Commissioner of Administration
Representative James R. "Jim" Fannin, Chairman, Joint Legislative Committee on the Budget
Senator Michael J. "Mike" Michot, Vice Chairman, Joint Legislative Committee on the Budget
Mr. Gordon Monk, Legislative Fiscal Officer
Ms. Cynthia Duhon, Secretary, Interim Emergency Board