

2015 Regular Session

HOUSE RESOLUTION NO. 110

BY REPRESENTATIVE TIM BURNS

HOUSE/RULES: Provides relative to the Committee on Appropriations

1 A RESOLUTION

2 To amend and readopt House Rules 6.4(A), (B), and (D) of the Rules of Order of the House
3 of Representatives to provide for the composition of the Committee on
4 Appropriations and the procedures for electing members of the committee.

5 BE IT RESOLVED by the House of Representatives of the Legislature of Louisiana
6 that House Rules 6.4(A), (B), and (D) of the Rules of Order of the House of Representatives
7 are hereby amended and readopted to read as follows:

8 Rule 6.4. Committee on Appropriations; subcommittees

9 A. Appropriations. The Committee on Appropriations shall be composed
10 of twenty-five members, of whom ~~eighteen~~ seventeen shall be appointed by the
11 Speaker and ~~seven~~ eight shall be elected, both as provided herein. Of the ~~eighteen~~
12 seventeen appointed members, one member shall be a resident of each of the Public
13 Service Commission districts respectively, one member shall be a resident of each
14 of the congressional districts respectively, and ~~six members~~ the remainder shall be
15 appointed from the state at large. Of the ~~seven~~ eight elected members, one member
16 shall be a resident of each of the ~~congressional~~ districts for the election of members
17 to the State Board of Elementary and Secondary Education respectively; such
18 districts are hereinafter referred to as BESE districts.

19 B. The ~~seven~~ elected members shall be elected in the following manner:

20 (1) The election shall be held after the general election for members of the
21 House of Representatives from among the members-elect.

1 (2) Each member-elect shall be eligible to be a candidate from the
2 ~~congressional~~ BESE district within which the member-elect resides at the time the
3 election is held.

4 (3) Within five days after the promulgation of the official returns of each
5 general election for members of the House of Representatives, the Clerk shall
6 transmit to each member-elect a notice of candidacy form and a ~~letter outlining an~~
7 outline of the procedure for the election of members of the committee.

8 (4) Each member-elect who wishes to be a candidate for membership on the
9 committee shall ~~sign and date~~ return the notice of candidacy and ~~shall return it to the~~
10 Clerk within ten days after the notice of candidacy was transmitted by the Clerk.

11 (5) Within three days after the final day for the receipt of the notice of
12 candidacy, the Clerk shall transmit to each member-elect the ~~written~~ ballot listing the
13 candidates from the ~~congressional~~ BESE district within which the member-elect
14 resides.

15 (6) The ballots shall be prepared separately by ~~congressional districts~~ BESE
16 district and shall list the name and address of each member-elect who has declared
17 himself to be a candidate from the respective districts. The ballot shall contain the
18 name of the member-elect to whom it is to be transmitted.

19 (7) Each member-elect shall mark the ballot with his choice for one of the
20 candidates, ~~shall sign and date the ballot~~, and shall return the ballot to the Clerk
21 within fifteen days after the ballot was transmitted by the Clerk.

22 (8) No ballot received by the Clerk after five o'clock p.m. on the fifteenth
23 day after the date on which the ballots were transmitted shall be counted, but the day
24 and time received shall be ~~marked on~~ recorded for each ballot received after such
25 time, and the ballot shall be ~~marked "Invalid"~~ invalid. However, prior to five o'clock
26 p.m. on the fifteenth day after the date on which the ballots were transmitted, a
27 member-elect may withdraw his ballot or change his vote upon his ~~written~~ request.

28 (9) ~~Ballots which are not signed or on which the signature is not the normal~~
29 ~~customary signature of the member-elect shall be void.~~

1 ~~(10)~~ (9) Each candidate who receives a majority of the votes cast by the
2 members-elect voting in his or her ~~congressional~~ BESE district shall be elected to
3 the committee.

4 ~~(11)~~ (10) If no candidate receives a majority of the votes cast in a
5 ~~congressional~~ BESE district, the Clerk shall conduct a run-off election between the
6 two candidates who receive the highest number of votes. The run-off election shall
7 be conducted in the same manner as the original election.

8 ~~(12)~~ (11) The candidate receiving the highest number of votes in the run-off
9 election shall be elected to the committee.

10 ~~(13)~~ (12) If the run-off election results in a tie vote, the two candidates shall
11 cast lots under the supervision of the Clerk to determine which candidate shall be
12 elected to the committee.

13 ~~(14)~~ (13) On or before the twentieth day after the date on which the ballots
14 were transmitted, the Clerk shall ~~open and~~ tabulate the ~~vote~~ votes by ~~congressional~~
15 BESE district. Prior to the tabulation, the Clerk shall ~~hold all ballots unopened and~~
16 ~~shall~~ not disclose the contents of any ballot to any person until the day when the
17 ~~ballots are opened and~~ votes are tabulated.

18 ~~(15)~~ (14) The tabulation of the results of the election in each ~~congressional~~
19 BESE district shall indicate by name the candidate for whom each member-elect
20 voted and the name of each member-elect who did not vote ~~or whose ballots were~~
21 ~~invalid because not signed by the member-elect in accord with Subparagraph (9)~~
22 ~~hereof~~. The Clerk shall sign each of the tabulation sheets.

23 ~~(16)~~ (15) The Clerk shall promulgate the returns of the elections within three
24 days after the date on which the ~~ballots were opened and the~~ votes were tabulated.
25 Promulgation shall be accomplished by transmitting a copy of the tabulation sheets
26 to each member-elect. The vote in each election as tabulated by the Clerk shall be
27 recorded in the Journal.

28 ~~(17)~~ (16) The notices of candidacy returned by the members-elect and the
29 ballots cast by the members-elect shall be public record.

1 (17) The Clerk shall initiate and oversee the design and implementation of
2 a system to allow each member-elect to electronically vote and return his ballot. The
3 system shall be accurate and secure, and the Clerk shall certify that the system meets
4 these requirements.

* * *

6 D. Any elected member of the committee may be removed by a majority of
7 those members who reside in the ~~congressional~~ BESE district from which the
8 member was originally elected.

9 (1) Removal shall be accomplished by delivery to the Speaker of an affidavit
10 signed by a majority of those members who reside in a ~~congressional~~ BESE district
11 expressing their intent to remove an elected member.

12 (2) Upon receipt of the affidavit, the Speaker shall declare a vacancy in the
13 membership of the committee and direct the Clerk to conduct an election to fill the
14 vacant position.

* * *

16 BE IT FURTHER RESOLVED that this Resolution shall become effective on
17 November 21, 2015, for the purpose of the election of members to the Committee on
18 Appropriations for the term of office beginning on January 11, 2016, and shall become
19 effective for all purposes on January 11, 2016.

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)]

HR 110 Engrossed 2015 Regular Session Tim Burns

Abstract: Provides for 17 appointed members and eight elected members of the Committee on Appropriations. For the eight elected members, provides that one is elected from each of the BESE districts and provides relative to the procedures for election.

Present House Rule provides that the Committee on Appropriations is comprised of 25 members, seven elected (one each by the members residing in each congressional district, respectively) and 18 appointed by the Speaker. Of the appointed members, one of the appointed members shall be a resident of each of the Public Service Commission districts respectively, one of the appointed members shall be a resident of each of the congressional districts respectively, and six members shall be appointed from the state at large.

Proposed House Rule provides instead that there are 17 members appointed by the Speaker and eight elected members. Of the 17 appointed members, one shall be a resident of each of the Public Service Commission districts respectively, one shall be a resident of each of the congressional districts respectively, and the remainder shall be appointed from the state at large. Of the eight elected members, one shall be a resident of and elected by the members residing in each BESE district respectively.

Present House Rule provides procedures for electing members of the committee. Provides that members are elected to the committee after the general election for members of the House of Representatives from among the members-elect. Requires the Clerk to transmit a notice of candidacy form and letter outlining election procedures to each member-elect. Requires each member-elect who wishes to be a candidate to sign and date the notice of candidacy and return it to the Clerk. Requires the Clerk to transmit to each member-elect a ballot listing the candidates from his district. Requires the member-elect to mark, sign, and date the ballot and return it to the Clerk. Requires the Clerk to open the ballots and tabulate the votes. Provides deadlines for each procedural step.

Proposed House Rule removes provisions from present House Rule providing for paper election materials. Removes requirements that the notice of candidacy and ballot be signed by the member-elect. Removes the requirement that the Clerk open ballots. Requires the Clerk to initiate and oversee the design and implementation of a system to allow each member-elect to electronically vote and return his ballot and to certify that the system is accurate and secure. Otherwise retains present House Rule.

Effective Nov. 21, 2015, for election purposes; effective for all purposes on Jan. 11, 2016.

(Amends House Rule 6.4(A), (B), and (D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original resolution:

1. Relative to procedures for electing members of the committee, remove provisions in present House Rule providing for paper election materials.
2. Remove requirements that the notice of candidacy and ballot be signed by the member-elect.
3. Remove provisions relative to opening ballots.
4. Require the Clerk to initiate and oversee the design and implementation of a system to allow each member-elect to electronically vote and return his ballot and to certify that the system is accurate and secure.