

Regular Session, 2013

HOUSE RESOLUTION NO. 6

BY REPRESENTATIVES ABRAMSON AND MILLER

HOUSE/RULES: Provides for recommittal of certain instruments and requires certain motions prior to final passage of legislation relative to tax relief

1 A RESOLUTION

2 To amend and readopt House Rule 6.8(A) of the Rules of Order of the House of
3 Representatives and to adopt House Rule 7.20 of the Rules of Order of the House of
4 Representatives, to provide relative to the recommittal of certain legislative
5 instruments; and to provide relative to certain vote requirements.

6 BE IT RESOLVED by the House of Representatives of the Legislature of Louisiana
7 that House Rule 6.8(A) of the Rules of Order of the House of Representatives is hereby
8 amended and readopted and House Rule 7.20 of the Rules of Order of the House of
9 Representatives is hereby adopted to read as follows:

10 Rule 6.8. Recommittal: Constitutional amendments; special elections; propositions;
11 study resolutions; Capital Outlay Bill; minimum foundation resolution;
12 legislative instruments creating special funds; legislative instruments with a
13 fiscal impact; public records exceptions; interstate compacts; ~~felonies~~

14 A.(1) A joint resolution proposing an amendment to the Louisiana
15 Constitution or a bill which calls a special election or which proposes to submit a
16 proposition or question to the voters, having been referred to a standing committee,
17 other than the Committee on Civil Law and Procedure, under the provisions of Rule
18 6.5, if reported, shall be reported to the Clerk of the House in accordance with the
19 requirements of Rule 6.11(A). However, after such report, any such House
20 instrument ordered engrossed, immediately following the engrossment order, and

1 any such Senate instrument reported favorably or with amendments, immediately
2 following the reading of such report and action on any amendments reported, shall
3 be recommitted by the speaker to the Committee on Civil Law and Procedure.

4 (2)(a) Said committee shall study all legislative instruments recommitted to
5 it pursuant to this Paragraph, shall ensure that the ballot language is comprised of
6 simple, unbiased, concise, and easily understood language which conforms to all
7 applicable laws, and shall review the proposed election date at which the proposition
8 or question is to be submitted to the voters to ensure maximum voter turnout, to the
9 extent practicable.

10 (b) Said committee shall study all ~~measures~~ legislative instruments
11 recommitted to it pursuant to this Paragraph, ~~taking into account other joint~~
12 resolutions introduced in either the House or the Senate, and shall report such
13 measures to the full House "with amendments" or "without amendments".

14 (c) Said committee shall study all joint resolutions recommitted to it, taking
15 into account other joint resolutions introduced in either the House or the Senate, and
16 include with the report a statement indicating whether the measures referred to it can
17 be accomplished statutorily without the necessity of the constitutional amendment
18 and whether such measures conflict with one another, and indicating the number of
19 joint resolutions introduced and the number reported by other standing committees.

20 * * *

21 Rule 7.20. Legislative instruments providing tax relief resulting in net loss of
22 revenue to the state; vote requirement

23 A. The provisions of this Rule shall apply to each legislative instrument
24 which provides a tax exemption, exclusion, deduction, rebate, incentive, abatement,
25 or credit, regardless of how titled or designated, and which results in an estimated
26 net loss of revenue to the state according to the fiscal note prepared in accordance
27 with House Rule 7.16.

28 B. No motion the effect of which is to finally pass a legislative instrument
29 subject to the provisions of this Rule shall be in order unless immediately prior to

1 such a motion a separate motion to authorize the approval of providing tax relief
 2 resulting in a net loss of revenue to the state is adopted by a favorable vote of at least
 3 sixty members.

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)]

Abramson

HR No. 6

Abstract: Requires any bill which calls a special election or which proposes to submit a proposition or question to the voters to be recommitted to the Committee on Civil Law & Procedure and further requires the adoption of a motion to authorize the approval of providing tax relief resulting in a net loss of revenue to the state by a favorable vote of at least 60 members prior to any motion to finally pass certain legislative instruments.

Present House Rule (House Rule 6.8) requires the recommitment of certain legislative instruments including constitutional amendments (Civil Law & Procedure); resolutions proposing certain studies (House and Governmental Affairs); the Capital Outlay Bill (Appropriations); the MFP concurrent resolution (Appropriations); special funds (Appropriations); Senate instruments with a fiscal cost of \$500,000 or more (Appropriations); Senate instruments with a net decrease in fees or a net increase in fees or taxes of \$500,000 or more (Ways & Means); public records exceptions (House and Governmental Affairs); and provisions to join an interstate compact (House and Governmental Affairs).

Proposed House Rule adds requirement that a bill which calls a special election or which proposes to submit a question or proposition to the voters, if reported by the committee of first referral, to be recommitted to the Committee on Civil Law & Procedure, adds a specific provision that the committee shall study all legislative instruments (joint resolutions and bills) recommitted to it to ensure that the ballot language is comprised of simple, unbiased, concise, and easily understood language which conforms to all applicable laws and shall review the proposed election date at which the proposition or question is to be submitted to the voters to ensure maximum voter turnout, to the extent practicable; otherwise, retains present House Rule.

Proposed House Rule further provides that prior to any motion the effect of which is to finally pass a legislative instrument which provides a tax exemption, exclusion, deduction, rebate, incentive, abatement, or credit, regardless of how titled or designated, and which results in an estimated net loss of revenue to the state according to the fiscal note prepared in accordance with present House Rules, the House shall adopt a motion to authorize the approval of providing tax relief resulting in a net loss of revenue to the state by a favorable vote of at least 60 members.

(Amends House Rule 6.8(A); Adds House Rule 7.20)

Summary of Amendments Adopted by House

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

1. Adds provision requiring the adoption of a motion to authorize the approval of providing tax relief resulting in a net loss of revenue to the state by a favorable vote of at least 60 members prior to any motion to finally pass specified legislative instruments.