

SENATE RESOLUTION NO. 168

BY SENATOR AMEDEE

A RESOLUTION

To amend and readopt the introductory paragraph of Senate Rule No. 3.7(B) and (B)(4), Senate Rule Nos. 3.7(C)(2), 8.1, 9.4, 9.5(B), 9.6, 10.9, 10.10, 13.4(3)(o), (p), and (q), (5)(i), (6)(d) and (i), (8), (9) and (10)(p), (17)(i), (j), (k), (l) and (m), 13.95 and 14.3, to adopt Senate Rule Nos. 10.17.1, 13.4(16)(t) and (17)(n) and to repeal Senate Rule Nos. 3.7(D)(5), 13.4(3)(r) and 14.7 of the Rules of Order of the Senate; to delete references to the interim calendar; to provide relative to the duties of the Secretary relative to the interim calendar; to provide for the distribution of the daily journal; to provide for the order or consideration of proposed floor amendments; to provide that resolutions may be read by title upon introduction and printed in the journal by title; to provide for the consideration of certain instruments under the "Bagneris Rule"; to change certain terminology referring to persons with disabilities and other exceptionalities; to provide for the referral and recommittal of certain legislative instruments; to provide for the committee documents which shall be maintained; and to provide for an effective date.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana amends and readopts the introductory paragraph of Senate Rule No. 3.7(B) and (B)(4), Senate Rule Nos. 3.7 (C)(2), 8.1, 9.4, 9.5(B), 9.6, 10.9, 10.10, 13.4(3)(o), (p) and (q), (5)(i), (6)(d) and (i), (8), (9) and (10)(p), (17)(i), (j), (k), (l) and (m), 13.95 and 14.3, adopts Senate Rule Nos. 10.17.1, 13.4(16)(t) and (17)(n) and repeals Senate Rule Nos. 3.7(D)(5), 13.4(3)(r) and 14.7 of the Rules of Order of the Senate as follows:

Rule 3.7. Duties of Secretary

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B. The Secretary shall exercise the following duties while the Legislature is in session:

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(4) Maintain the calendars of bills, resolutions, and joint resolutions to be taken up and acted upon by the Senate, as provided in Senate Rules 14.6 and 14.7.

* * *

C. The Secretary shall exercise the following additional duties while the Senate is convened:

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(2) Read the Journal daily, unless the reading is dispensed with by a majority of the members present or the Journal is unavailable, as required by Senate Rule 14.5. **The Journal shall be made available only electronically to the members. No paper copies of the Journal shall be distributed to a member unless the member specifically requests a paper copy.**

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Rule 8.1. Amendments; how considered; **order of consideration**

A. Only one set of proposed amendments to a legislative instrument shall be considered by the Senate at any one time.

B. Proposed floor amendments shall be considered in the order in which they are received for consideration, except that amendments that have been received prior to the consideration of the instrument that are proposed by the lead author of a Senate instrument or by the Senate member handling a House instrument shall be considered prior to other proposed floor amendments.

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Rule 9.4. Referral to committee

The President shall refer each prefiled instrument to the appropriate standing committee in accordance with the Rules of Order of the Senate for pre-session study, hearing, and consideration of such instrument by the committee. ~~At the time of the referral, the President shall notify the author in writing of the referral of the instrument, naming the committee to which the instrument has been referred. The~~

referral, the date thereof, and the name of the committee of reference shall be entered ~~in the Interim Calendar~~ **on the Joint Legislative Website**. If a senator notifies the President in writing within ~~ten~~ **five** days after publication of the referral ~~in the Interim Calendar and distribution of the calendar~~ **on the Joint Legislative Website** that he objects to the referral and states the reason for his objection, the President may reconsider the referral and may refer to another committee. If the President refers the instrument to another committee, he shall so notify the author and the chairman of both committees affected by his action in writing, and the Secretary shall enter the new referral ~~in the next Interim Calendar~~ **on the Joint Legislative Website**.

Rule 9.5. Authority of author to withdraw

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B. The author of a prefiled instrument may withdraw it at any time prior to introduction by written request to the Secretary. In such case, the Secretary shall reclaim the instrument from the committee and enter its withdrawal ~~in the Interim Calendar~~ **on the Joint Legislative Website**.

Rule 9.6. Pre-session committee hearings

Prior to the session, standing committees may hold hearings and consider prefiled instruments referred to them if copies of such instruments have been made available and ~~distribution of the Interim Calendar~~ indicating **entry of** the referral ~~thereof~~ **on the Joint Legislative Website** has been made at least ten days before the meeting. However, if objection is raised, as provided in Rule 9.4, the original committee of reference shall not consider the instrument. If the President refers the instrument to another committee, the instrument shall not be considered until at least ~~ten~~ **five** days after ~~distribution of the Interim Calendar in which the~~ indicating the second referral **is entered on the Joint Legislative Website and** appears.

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Rule 10.9. Resolutions; introduction and referral; suspension of laws

A. Each resolution shall be read **by title** upon introduction in the Senate and shall be referred to an appropriate committee on the next legislative day following

the day of introduction. The requirement of referral to committee shall not apply to perfunctory resolutions, such as those pertaining to adjournment or to a resolution introduced for the purpose of calling an election for the election of the President pursuant to Rule 3.2, the election of the President Pro Tempore pursuant to Rule 3.4, for the election of the Secretary pursuant to Rule 3.6 or for the election of the Sergeant at Arms pursuant to Rule 3.8. Only a resolution pertaining to notifying the House of Representatives or the governor that the Senate has convened or is ready to adjourn or the holding of a joint session of the legislature may be taken up and acted upon immediately upon introduction. Otherwise, no resolution may be taken up and acted upon until it is listed on the order of the day for that legislative day.

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Rule 10.10. Commitment or amendment; two prior readings required

No bill or joint resolution shall be committed or amended until it has been read **by title** in open session of the Senate on two separate days.

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Rule 10.17.1. Returning to the calendar; "Bagneris Rule"

A. On any legislative day in the regular order and upon third reading and final passage for any instrument, at the discretion of the President and upon the motion of any member, the Senate may pass over any instrument that any member objects to as controversial under the provisions of this rule, which shall be referred to as the "Bagneris Rule".

B. The motion to operate under the Bagneris Rule shall be a nondebatable motion and shall be approved by a majority of the members present and voting.

C. Any instrument so passed over under the Bagneris Rule shall remain on the regular calendar in the same numerical order on the next calendar day.

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Rule 13.4. Referral to standing committees; jurisdiction

Each legislative instrument or other matter to be referred to committee shall be referred, on the basis of the subject matter contained therein, to the committee

having jurisdiction thereof as provided in the following enumeration of subject matter jurisdiction for the committees of the Senate:

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(3) Education Committee, all matters relating to:

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(o) ~~Schools for the blind~~

(p) ~~Schools for the deaf~~ **Special Schools**

(q) ~~State and public libraries~~

(r) ~~Vocational-technical education~~

* * *

(5) Finance Committee, all matters relating to:

* * *

(i) Each legislative instrument with an estimated fiscal cost, as reflected in the fiscal note prepared in accordance with Joint Rule No. 4, of ~~five~~ **one** hundred thousand dollars or more annually in any one of the three ensuing fiscal years or with a fiscal cost with, although unspecified in the fiscal note, is indicated in the fiscal note to likely exceed ~~five~~ **one** hundred thousand dollars annually in any of the three ensuing fiscal years, after initial consideration in committee of subject matter, if different from Finance.

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(6) Health and Welfare Committee, all matters relating to:

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(d) ~~Handicapped children's facilities~~ **Facilities for children with physical disabilities**

* * *

(i) ~~Mentally retarded institutions and services~~ **Institutions and services for persons with intellectual disabilities**

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(8) Judiciary A Committee, or

(9) Judiciary B Committee, or

(10) Judiciary C Committee, all matters relating to:

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(p) National Guard, Military affairs generally, Code of Military Justice, and the Adjutant General

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(16) Senate and Governmental Affairs Committee, all matters relating to:

* * *

(t) State buildings generally, including naming of state buildings

(17) Transportation, Highways and Public Works Committee, all matters relating to:

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(i) ~~Public works~~ Ports

(j) ~~Railroads~~ Public works

(k) ~~Rules and regulations for highway, railroad, and air use~~ Railroads

(l) ~~Transportation, highways, and public works in general~~ Rules and Regulations for highway, railroad, and air use

(m) ~~Water conservation districts~~ Transportation, highways, and public works in general

(n) Water conservation districts

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Rule 13.95. Permanent committee records; disposition

A. The permanent records of the committee shall include the ~~audio tapes and~~ minutes of each meeting and a file on each instrument received by the committee. The file on each instrument shall include a copy of the original instrument; a copy of committee amendments proposed by any member, whether or not adopted, and the disposition thereof; a copy of any fiscal note, actuarial note, or notice attached to an instrument at the time of committee consideration; all prepared statements filed with the committee chairman by members or interested parties; the minutes of the public hearing held on the instrument and of the meeting at which the committee report thereon was decided; and a copy of the committee report thereon.

B. The minutes, as approved by the committee, and other permanent records of the committee shall be retained by the Senate staff and shall be public records; however the Secretary of the Senate shall be the official custodian of such records.

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Rule 14.3. Journal; legislative instruments to be entered, form

The author(s) and the title of each bill ~~or, joint resolution and the full text of each,~~ resolution or concurrent resolution introduced in the Senate shall be printed in the Journal for the day on which the instrument was introduced. The title of the instrument shall accompany each Journal entry of subsequent action taken upon the instrument. ~~Each~~ The title of each resolution, concurrent resolution, and joint resolution which originates in the Senate and which is ordered enrolled shall be printed in full in the Journal, as enrolled, as part of the report on enrollments of the Senate and Governmental Affairs Committee.

BE IT FURTHER RESOLVED that Senate Rule Nos. 3.7(D)(5), 13.4(3)(r), and 14.7 of the Rules of Order of the Senate are hereby repealed in their entirety.

BE IT FURTHER RESOLVED that this Resolution shall become effective on August 1, 2014.

PRESIDENT OF THE SENATE