

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.



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.