

# **Orientation Guide for Louisiana House Members**

**2016 - 2020 Term**

**An introduction to the legislative branch of state government revised quadrennially and intended to serve as background information for newly elected members of the Louisiana House of Representatives.**

**Seventeenth Revision  
December, 2015**

**Louisiana House of Representatives  
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**Front Cover:** Entrance to the House Chamber from Memorial Hall, courtesy of the House Communications Office, Louisiana House of Representatives.

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## ORIENTATION GUIDE FOR LOUISIANA HOUSE MEMBERS

**2016 - 2020 TERM**

As the members of the House of Representatives prepare to embark on a new term of office, the *Orientation Guide for Louisiana House Members: 2016 -2020 Term* is designed as a practical tool for each House member. The House staff understands the urgency for all members, and in particular the new members, to quickly and fully understand the intricacies of the legislative process. Accordingly, this guide is focused on new House members, introducing the legislature as an institution and the responsibilities of each member of the institution. However, it is also intended to be a resource and guide for returning members, and for staff as well.

This new edition of the guide discusses House procedure as it reviews the essentials of the legislative process. It describes the staff services and information sources available to House members, including technology that gives the public easier and greater access to the legislative process and provides vital sources of information to aid House members in their roles as lawmakers and as problem solvers for their constituents.

We hope that this guide demonstrates the many ways in which the entire staff of the House can ably assist each of you – and how much we want to do so.

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# THE LEGISLATURE – THE INSTITUTION

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# THE LEGISLATURE – THE INSTITUTION

## Basic Legislative Structure and Functions

### Overview

The legislature is one of the three branches of state government. It is the policymaking branch and makes policy by enacting laws, but it also oversees the implementation of laws and conducts studies necessary to enact laws. Its structure and powers are established primarily by Article III of the Constitution of Louisiana. The constitution also gives the governor certain, albeit limited, powers related to lawmaking, such as submission of the executive budget and veto of bills.

The legislature is a continuous body. It is comprised of the House of Representatives and the Senate. The constitution provides for the number of members and their terms of office, for legislative rules, and for legislative officers.

Legislative sessions are also governed by the constitution. These include the regular sessions, with general regular sessions in even-numbered years and restricted regular sessions in odd-numbered years, extraordinary or special sessions, organizational sessions (which occur every four years when members take office for a regular term), emergency sessions, and veto sessions.

Legislative staff agencies serving the House include **House Legislative Services**, which provides research, bill drafting, committee staffing, library services, and administrative services for the House; the staff of the **Speaker's Office**, which oversee the day-to-day operations of the House, its employees, and its members, and besides the Speaker's staff itself includes the House **Accounting Office**, the House **Communications Office**, the House **Human Resources Office**, **Property Control and Purchasing**, the Louisiana Capitol Foundation, and the House switchboard; the House **Clerk's Office** which processes legislation, maintains official legislative records and schedules, gives notice of House committee meetings, and provides other House services; the House **Sergeant at Arms** which provides security, transportation, and emergency medical services; and **other House offices** such as the Speaker Pro Tempore's office and caucus and delegation offices which assist the members with various services, but particularly with aiding constituents, and acting as liaison with other government offices.

The **Legislative Fiscal Office** provides budget research and fiscal notes to the House and the Senate. The **Legislative Auditor** and his staff also serve both houses. In addition to the office's post audit function, it prepares actuarial notes for retirement bills and certain fiscal notes, performs program evaluations, and reviews performance measures for program budgets of agencies.

The **Louisiana State Law Institute** is the official revisor of statutes for the state and conducts scholarly legal research.

Certain committees have administrative responsibilities. The **Legislative Budgetary Control Council**, created by statute, governs the administration and expenditure of the funds of both houses and of legislative agencies. It reviews budget requests of legislative agencies and must approve them for inclusion in the legislative appropriation bill. It also regulates other fiscal matters for the legislature.

The **House Executive Committee** advises the House Speaker on various matters concerning operation of the House and staff, and also establishes the annual vouchered allotment for House members to be used for expenses of office.

The **Legislative Audit Advisory Council** has certain duties relative to the Legislative Auditor and his staff.

The **Joint Legislative Committee on the Budget** has certain administrative authority relative to the Legislative Fiscal Office.

# THE LEGISLATURE – POWERS, COMPOSITION, SESSIONS

## A Summary of Major Constitutional Provisions Governing the Legislature

### Legislative Powers

The Louisiana Constitution establishes the legislative branch as one of the three coordinate branches of state government. Article II, Section 1 provides for three separate branches of state government: legislative, executive, and judicial and provides that except as otherwise provided in the constitution, no one of these branches, nor any person holding office in one of them, shall exercise power belonging to either of the others. Article III, Section 1(A) vests the legislative power of the state in the legislature, consisting of the Senate and the House of Representatives. The legislature is responsible for determining general policy for the state and its residents through the enactment of laws. The power to enact laws is subject to the substantive and procedural limitations of the federal and state constitutions. Oversight of the actions of the executive branch in administering state programs is also vested in the legislature. This power, closely related to the power to make laws, is exercised in order to assure that legislative policy and intent are carried out. Review of administrative rules of executive branch agencies by legislative oversight committees is an important exercise of this authority. The legislature and its committees also have the power to gather information and investigate as needed.

The governor also exercises certain legislative powers. Const. Art. IV, §5(B) directs the governor, at the beginning of each regular session and at other times, to make reports and recommendations and to give information to the legislature concerning the affairs of state, including the complete financial condition of the state. Constitution Article IV, Section 5(D) requires the governor to submit to the legislature an operating budget and a capital budget for each fiscal year. The governor is authorized to call the legislature into special session. Additionally, he may veto any bill or any item in an appropriation bill, though the legislature may override a veto by a vote of two-thirds of the elected membership of each house (Const. Art. III, §18 and Const. Art. IV, §5(G)).

### Continuous Body

Const. Art. III, §1(B) provides that the legislature is a continuous body during the time for which its members are elected. This continuous authority permits standing committees of the legislature to meet during the interim between sessions.

## Composition

Article III, Section 3 of the constitution specifies that the number of members of the legislature shall be provided by law, but establishes the maximum number of senators at 39 and the maximum number of members of the House of Representatives at 105. Representation in both houses of the legislature is based on population in accordance with state constitutional mandate (Const. Art. III, §6) and U.S. Supreme Court decisions. The constitution provides for single-member districts exclusively. The legislature is required to reapportion the representation in each house by the end of the year following the year in which the state's population is reported to the president of the United States for each decennial federal census, on the basis of total population shown by such census.

## Terms and Vacancies

Legislators are elected for four-year terms and take office on the same day as the governor and other statewide elected officials. The next term of the legislature begins on January 11, 2016, at 10:00 a.m. A constitutional amendment adopted by the voters in October of 1995, limits the number of consecutive terms a person may serve in each house of the legislature and provides that no person who has been elected to serve as a member of the legislature for more than two and one-half terms in three consecutive terms may be elected for the succeeding term.

A vacancy in the legislature can be filled only by the electors of the district in which the vacancy occurred for the remainder of the term during which the vacancy occurred (Const. Art. III, §4(D)).

## Officers

The officers of each house of the legislature are selected at the beginning of each term to serve for four-year terms. The House of Representatives elects from among its members a Speaker and Speaker Pro Tempore. It also elects its chief clerical officer, the Clerk of the House, who is not a member. The Senate elects its presiding officer, the President of the Senate, from its membership and also elects a President Pro Tempore from its membership. It also elects its chief clerical officer, the Secretary of the Senate, who is not a member. Rules of each house provide for the election of these officers (Const. Art. III, §7(C)). The rules of each house also provide for a Sergeant at Arms. In the House of Representatives, the Sergeant at Arms is appointed by the Speaker. In the Senate, the Sergeant at Arms is elected.

## Sessions of the Legislature

Legislative sessions are governed by the provisions of Article III, Section 2 of the constitution.

Every four years, at 10:00 a.m. on the day members take office, an **organizational session** is convened, primarily for judging members' qualifications and elections, taking the oath of office, organizing the two houses, and selecting officers. The session is limited to three legislative days; no matter intended to have the effect of law may be introduced.

**Regular sessions in even-numbered years** convene at noon on the second Monday in March. The legislature may meet for not more than 60 legislative days (a calendar day on which either house is in session) during a period of 85 calendar days. These sessions are general in nature, but no measure levying or authorizing a new tax or increasing an existing tax by the state or a statewide political subdivision, or dealing with tax exemptions, exclusions, deductions or credits, may be introduced or enacted.

**Regular sessions in odd-numbered years** convene at noon on the second Monday in April. The legislature may meet for not more than 45 legislative days during a period of 60 calendar days. These sessions are restricted sessions. Legislation may be considered if its object is to enact the general appropriation bill or other appropriations; enact the capital budget; levy a new tax or increase an existing tax; authorize, increase, decrease, or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits; or legislate with regard to issuance of bonds. In addition, each member may prefile up to five bills that are not within these restrictions and may prefile or introduce any number of bills whose object is to enact a local or special law which is required to be and which has been advertised as provided in Article III, Section 13 and is not prohibited by Article III, Section 12. (See the **Annual Regular Legislative Sessions – Key Constitutional Provisions** chart on page E-3.)

**Extraordinary sessions** may be convened by the governor at other times and must be convened by the presiding officers of both houses upon petition of a majority of the elected members of each house. An extraordinary session may not exceed 30 calendar days, and the power to legislate is limited to the objects specified in the proclamation or call for the session issued by the governor or the presiding officers, as the case may be.

**Emergency sessions** may be convened by the governor without prior notice or proclamation in the event of a public emergency caused by epidemic, enemy attack, or public catastrophe.

Constitution Article III, Section 18(C) requires the legislature to meet in **veto session** on the fortieth day following final adjournment of the most recent session, to consider all bills vetoed by the governor (or on the succeeding Monday if the fortieth day falls on Sunday). A veto session is limited to five calendar days, and may be finally adjourned prior to the end of the fifth day with approval of two-thirds of the elected members of each house. No veto session is held if a majority of the elected members of either house declare in writing that a veto session is unnecessary and the declaration is received by the presiding officer of the respective houses at least five days prior to the day on which such session would convene. A veto session has never been held.

Constitution Article III, Section 1(B) provides that a bill or resolution not finally passed in any session shall be withdrawn from the files of the legislature.

#### **Privileges and Immunities**

A member of the legislature is privileged from arrest, except for felony, during his attendance at sessions and committee meetings of his house and while going to and from them. No member may be questioned elsewhere for any speech in either house (Const. Art. III, §8).

#### **Conflict of Interest**

Article III, Section 9 of the constitution provides that legislative office is a public trust, and every effort to realize personal gain through official conduct is a violation of that trust. It requires the legislature to enact a code of ethics for members of the legislature. (See also Const. Art. X, §21, and R.S. 42:1101 et seq. regarding a code of ethics for all public officials and employees.)

#### **Quorum, Attendance, Journal, and Adjournment**

The constitution provides that a majority of the elected members of each house (53 members of the House of Representatives and 20 members of the Senate) is required to form a quorum to transact business. A smaller number may adjourn from day to day and may compel attendance of absent members. Each house is required to keep a journal of its proceedings and have it published immediately after the close of each session. The Journal of each house is required to accurately reflect the proceedings, including all record votes. When the legislature is in session, neither house is allowed to adjourn for more than three days or to another place without the consent of the other house. (Const. Art. III, §10)

## LEGISLATIVE STAFF

### Legislative Staffing Agencies and Their Functions

The House has a full-time, nonpartisan staff, which includes House Legislative Services and general House Staff. Offices within the general House Staff include the office of the Clerk, the House Sergeant at Arms, and the office of the Speaker. House staff units within the office of the Speaker are Communications, Human Resources, Accounting, Property Control and Purchasing, Switchboard, and the La. Capitol Foundation. In addition, there are other agencies which serve both the House and the Senate. Relevant staff resources and services are discussed in each of the other major sections of this guide. (See particularly **Information Resources** beginning on page G-1.)

#### House Legislative Services

House Legislative Services (HLS) staff serves all house members and committees. The HLS staff drafts legislation and the accompanying summaries, provides research services, staffs committees, prepares floor and committee amendments to legislation, conducts studies and briefings, provides fiscal reports and analyses, prepares **Hot Topics** in advance of sessions and **The Session Wrap** and **Highlights** immediately after session, and is available, year-round, for member inquiries. HLS also provides library reference services and handles much of the publication, copying, record keeping, and other administrative work of the House. HLS has an Executive Director that serves as its administrative officer. House Rule 3.5 provides that HLS is under the general supervision and control of the Subcommittee on Personnel of the House Executive Committee.

HLS is organized into five **research divisions**: Commercial Regulation, Fiscal, Governmental Affairs, Legal, and Resource & Infrastructure, as well as Administrative Services and the David R. Poynter Legislative Research Library. Attorneys and legislative analysts in each research division draft legislation and provide research and analysis in their respective committees and areas of subject matter expertise and, together with the committee secretaries, staff the committees to which they are assigned. Budget analysts provide analysis of the state's budget and, like the drafting staff, are experts in their assigned areas which correspond with the various budgetary units of state government. Each division is supervised by a director who is responsible for its staff including work assignments, quality control, and workflow and is assisted by an administrative secretary. Committees within each of the five divisions are shown in the graphic on the next page.

HLS Research Divisions – Committees	
Division	Committees
Governmental Affairs	<ul style="list-style-type: none"> <li>• House &amp; Governmental Affairs</li> <li>• Education</li> <li>• Retirement</li> <li>• Municipal, Parochial &amp; Cultural Affairs</li> </ul>
Commercial Regulation	<ul style="list-style-type: none"> <li>• Commerce</li> <li>• Health &amp; Welfare</li> <li>• Insurance</li> <li>• Labor &amp; Industrial Relations</li> </ul>
Legal	<ul style="list-style-type: none"> <li>• Civil Law &amp; Procedure</li> <li>• Judiciary</li> <li>• Administration of Criminal Justice</li> </ul>
Fiscal	<ul style="list-style-type: none"> <li>• Appropriations</li> <li>• Ways &amp; Means</li> </ul>
Resource & Infrastructure	<ul style="list-style-type: none"> <li>• Natural Resources &amp; Environment</li> <li>• Agriculture, Forestry, Aquaculture &amp; Rural Development</li> <li>• Transportation, Highways &amp; Public Works</li> </ul>

**Administrative Services** provides clerical assistance for the massive amount of typing, proofreading, printing, and other clerical work necessary for the operation of the House. House Docket maintains files of all bills and adopted amendments from current and past legislative sessions. Administrative Services is responsible for engrossing and enrolling all House bills, resolutions, and other legislative instruments.

HLS maintains the **David R. Poynter Legislative Research Library** which provides reference services to legislators and staff of the House and Senate and other legislative offices. It maintains a comprehensive collection of legislative documents, books, and periodical and newspaper articles related to legislative issues and matters of public interest. Librarians conduct searches in legal and news databases upon request. The library operates the PULS line (Public Update Legislative Service), a toll-free telephone line, to provide the public with information on legislation, proceedings, and legislative website navigation. The library also staffs special information lines to respond to questions from House members which are available only to House members and their staff.

### **Speaker's Office**

The Speaker has a staff chosen by him to assist in the running of the day-to-day operations of the House, its employees, and its members. In addition to handling member travel, member services such as assistance with visiting dignitaries and singers and reserving of the Rotunda, the Speaker's schedule, dealing with Pentagon apartment issues, operating the House switchboard, and carrying out administrative duties, the Speaker's staff assist him in implementing his decisions including member committee and Pentagon apartment assignments, supervision of the House chamber and all space allocated to the House, presiding over all House sessions, supervision of all House staff and offices, approval of interim committee meetings, approval of large purchases using state funds, approval of all staff and member travel, appointments to various boards and commissions, developing the House budget and overseeing its expenditures, and the carrying out of any and all duties of the Speaker.

### **Accounting**

The House Accounting Office is responsible for all accounting functions. The office handles all matters relating to the compensation of members, staff, legislative assistants, and temporary session staff. It is also responsible for all payments and reimbursements for district office expenses. The office assists members regarding leases for the district offices and it facilitates rent payments. It also is responsible for administering the members' office allowances. Additionally, it handles all payments related to approved travel, including payment of registration fees, airfare, and reimbursement of travel-related expenses.

### **Communications**

The House Communications Office (HCO) is responsible for assisting House members and staff in communicating with the public, as well as the media. HCO services for the House and its members include production and publication of materials that increase knowledge of and promote public involvement in the legislative process, acting as liaison with schools and community organizations, as well as the media, constituency outreach, direct-mail marketing, providing audio and visual services for the House, maintaining all House websites and social media pages, and developing audio, video, and print communication materials for legislator and staff use concerning media communication.

### **Human Resources**

The House Human Resources Office, which was established to centralize all human resource and personnel functions of the House and is responsible for staffing of the organization, including employee recruitment and selection, as well as orientation of new

employees, employee training and development, compensation, incentives and benefits administration, development of personnel policies and procedures, recordkeeping, and ensuring adherence to all state and federal laws and rules and regulations governing personnel and labor issues.

### **Property Control and Purchasing**

The Property Control and Purchasing Department is responsible for the acquisition and disposal of furniture and equipment for members' district offices and House staff. The department assists in opening and closing members' district offices and also reconciles all House property for inventory purposes.

### **House Clerk's Office**

The Clerk of the House is the constitutional clerical officer of the House of Representatives, the parliamentarian, and the custodian of all records of the House. The House Clerk's Office is staffed to assist the Clerk in processing legislation, receiving reports of standing committees, maintaining and publishing a journal of proceedings, and publishing the Legislative Calendar. This office handles matters relative to the scheduling of committee meetings throughout the year and providing notice of such meetings. The Clerk is also responsible for processing House members' interim emergency appropriation ballots as well as all other ballots for interim votes and for reviewing vouchers submitted for reimbursement of office expenditures by members.

### **Sergeant at Arms**

The Sergeant at Arms is an officer of the House appointed by the Speaker. The Sergeant at Arms' office handles security and transportation matters for the House and also includes staff trained to handle medical emergencies in the Capitol.

### **Other Offices**

Other staff are available to assist House members in the Speaker Pro Tempore's Office and in the various caucus and delegation offices, such as the Acadiana Delegation, Black Caucus, Capital Region, Democratic Caucus, Independent Caucus, Jefferson Delegation, Orleans Delegation, Republican Delegation, Rural Caucus, and Women's Caucus. These offices help members in a variety of ways, but particularly with constituent services and with obtaining information and assistance from state, local, and federal offices.

### **Legislative Fiscal Office**

The Legislative Fiscal Office was established on July 1, 1974, (Act No. 169 of the 1993 R.S.) to provide the legislative branch with its own independent fiscal staff to advise both houses of the legislature on all financial matters. The Legislative Fiscal Officer, elected by the majority vote of the members of both the House and Senate,

administers and directs the work of the fiscal office. The primary responsibilities of the fiscal office include: review and analysis of the proposed Executive Budget; program review; preparation of fiscal notes and review of legislation with projections of costs and revenues associated with the proposed laws; long- and short-range revenue projections; and review of performance-based budgeting in the executive branch. The office also makes recommendations to the Joint Legislative Committee on the Budget (JLCB) of monthly requests to amend agency budgets (BA-7 process); evaluates requests submitted to the Interim Emergency Board (IEB) and makes recommendations to the Legislature relative to those requests; and reviews and approves fiscal and economic impact statements of proposed administrative rule changes submitted by the executive branch. (Also see **Joint Legislative Committee on the Budget** on page A-14.)

### **Legislative Auditor's Office**

The Legislative Auditor's office is a constitutionally created office (Const. Art. III, §11). The Legislative Auditor serves as fiscal advisor to the legislature and performs duties related to auditing the fiscal records of the state, its agencies, and political subdivisions. The Auditor prepares an annual report to the legislature highlighting significant audits and important fiscal matters. The Auditor prepares fiscal notes for legislation affecting local political subdivisions. He also prepares fiscal actuarial notes for legislation affecting public retirement systems. The Auditor is mandated to conduct performance audits, which include reviewing data used by state agencies and departments for fulfilling their legislative mandates. The Auditor is elected by a majority of the elected members of each house and has no set term. (See **Legislative Audit Advisory Council** on page A-14.)

### **Louisiana State Law Institute**

The Louisiana State Law Institute is an official advisory law revision, law reform, and legal research agency of the state, composed of attorneys, judges, and law professors. The law institute was created to promote and encourage the clarification and simplification of state law and its better adaptation to present social needs, to secure the better administration of justice, and to conduct scholarly legal research. After each legislative session, the law institute prepares the printer's copy of the official text of the enacted laws for incorporation into the Louisiana Revised Statutes and other codes.



## COMMITTEES WITH CERTAIN ADMINISTRATIVE FUNCTIONS

### Committees that Help Administer the Legislature

There are several legislative committees that play a role in administration of the legislature, the House, and legislative or House staff. These include the Legislative Budgetary Control Council, the House Executive Committee, the House Legislative Services Council, the Legislative Audit Advisory Council, and the Joint Legislative Committee on the Budget.

#### Legislative Budgetary Control Council

The Legislative Budgetary Control Council establishes rules to govern the administration and expenditure of all legislative branch funds. The council reviews budgetary requests for the two houses and all legislative agencies and must approve them before they are included in the legislative appropriation bill. It sets requirements for financial statements and accounting systems and for deposits and transfers of funds. Legislative facilities management is another council responsibility. The council is composed of the Senate President and President Pro Tempore; the House Speaker and Speaker Pro Tempore; the chairmen of the Senate Finance Committee, House Appropriations Committee, Senate and Governmental Affairs Committee, and House and Governmental Affairs Committee; one member of the House and Governmental Affairs Committee and one member of the Senate and Governmental Affairs Committee appointed by the respective chairman; and, ex officio but nonvoting, the House Clerk and Senate Secretary.

#### House Executive Committee

The House Executive Committee is created by House Rule (House Rule 6.26) to make recommendations to the Speaker, other House officers, and the Committee on House and Governmental Affairs concerning internal House matters such as space and facilities, officers and employees, rules, administration, litigation, and budgetary and financial questions. The committee is divided into three standing subcommittees: Affairs of the House, Litigation and Legal Issues, and Personnel. It also has authority to establish an annual vouchered allotment for House members, to be drawn monthly, for expenses as a House member such as office rent, utilities, communications, supplies, salary supplements for legislative assistants, and travel. The committee has 19 members, including the Speaker and the Speaker Pro Tempore and 17 members appointed by the Speaker with at least one from each congressional district.

### **Legislative Audit Advisory Council**

The Legislative Audit Advisory Council (LAAC) advises and consults with the Legislative Auditor concerning his functions, duties, and responsibilities. It makes recommendations to the Auditor and to the legislature regarding auditing of all public monies. The salary of the Legislative Auditor is fixed by LAAC. LAAC reviews the budget of the Legislative Auditor prior to submission to the legislature. It has authority to subpoena witnesses, books, and records; to compel testimony; and to punish for contempt. The Auditor reports to LAAC remedial action taken when there are audit findings or indications of fraud in a state or local audit. LAAC has 10 members, including five House members appointed by the House Speaker and five Senators appointed by the Senate President. (See **Legislative Auditor's Office** on page A-11.)

### **Joint Legislative Committee on the Budget**

The Joint Legislative Committee on the Budget (JLCB) was created and established as the budgetary and fiscal representative of the legislature to assist the body in its responsibilities under the state constitution and to provide the legislature with information. During the interim, the committee is authorized to approve or disapprove transfers of funds and to approve requests for use of interest earnings and for change orders for capital constructions projects. The committee is often extended broad authority to interpret and oversee implementation of legislative intent in regard to fiscal and budgetary matters. The JLCB also has certain administrative authority with respect to the Legislative Fiscal Office and the Legislative Fiscal Officer. The committee is the governing council of the Legislative Fiscal Office for the purposes of rules and regulations adopted by the legislature to govern expenditure of legislative funds and related matters.

The committee is composed of the members of the House Committee on Appropriations, Senate Committee on Finance, and the chairman of the House Committee on Ways and Means and chairman of the Senate Committee on Revenue and Fiscal Affairs. The chairman of the committee rotates every two years between the chairman of the House Committee on Appropriations and the Senate Committee on Finance. The committee staff rotates every two years between the House Legislative Services Fiscal Division and Senate Fiscal Services. Additionally, the Legislative Fiscal Office and the Legislative Auditor assists the committee in the performance of its functions and duties.

# THE LEGISLATOR AS REPRESENTATIVE

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# THE LEGISLATOR AS REPRESENTATIVE

## Factors Affecting How A House Member Serves in Public Office

### Overview

The legislator has a number of roles – as representative, as lawmaker, and as controller of the purse strings. Though the member serves as representative in all of these roles, the member has a direct role as representative in serving the district. This section covers matters of interest to the individual legislator.

### Concerns of the Individual Representative

As an individual representative, the House member has a number of concerns. Areas of particular importance, all of which are explained more fully in the following pages, are:

#### Constituent Services

The member may serve district constituents in a variety of ways, including: assisting in obtaining aid from public agencies; providing information about state programs, current law, and pending legislation; seeking ideas and opinions and expressing his or her own; providing assistance at the State Capitol; and securing assistance, projects, and programs for the district.

#### Laws Concerning Legislators' Conduct and Conflict of Interest (ethics and financial disclosure, campaign finance, lobbyists, elections, and other prohibited conduct)

The Code of Governmental Ethics permits the member to receive only certain things having economic value from certain persons and specifically prohibits certain actions and activities. It also requires legislators to disclose income from certain sources and certain information relative to filing tax returns. The campaign finance laws require reports of election contributions and expenditures, limit the amounts of contributions, and also prohibit certain practices. The legislature has enacted laws regulating legislative lobbying. These laws require registration and disclosure of expenditures by lobbyists and regulate campaign contributions by lobbyists and lobbyist principals during legislative sessions. Other laws prohibit certain practices in elections. Additionally, a number of provisions of the Criminal Code affect public officeholders.

**Resources Available  
to  
Assist the  
Member**

**Emoluments**

Allowances are available for district office expenses and furnishings, payment of the salary of a legislative assistant, and the member's monthly expenses.

**Information Resources**

Many resources to assist the member are available from House staff, both information in written form and other types of assistance. Many other state government sources of information and assistance are available to the member and his or her constituents.

See **Information Resources** beginning on page G-1.

**Authority to Attend  
Any State Board,  
Commission,  
Agency, or  
Committee Meeting**

State law authorizes members of the legislature to attend any meeting of any state board, commission, agency, or committee. Such attendance is permitted at both public meetings and those held in private or executive session.

See R.S. 24:8.

## SERVICES TO CONSTITUENTS

### Some Ways a Representative May Assist Constituents

Interaction with constituents is a basic activity of any legislator. The following is an overview of some of the types of services that a legislator can provide to his or her constituents.

#### District Office

Maintaining a district office with a capable and responsive legislative assistant is very important. The district office is the hub of constituent linkage and is the nucleus around which all services and contacts revolve.

#### Caseworker

As a "caseworker", the legislator and his or her staff can aid in solving both governmental and personal problems. A constituent or local agency may need specific help or information to resolve a wide range of difficulties, such as those related to hurricane recovery, social services, Medicaid, workers' compensation, public retirement systems, transportation, public safety, or corrections. The legislator is often an arbiter and an enabler, intervening with a state agency on a constituent's behalf. Veterans, or their dependents or survivors, may need assistance in dealing with state and federal veterans' offices. Many times constituents only need to locate the correct person to assist them with a governmental problem, and other times they just want someone to hear their story. When a problem is satisfactorily resolved, this "casework" can be very rewarding.

#### Student Financial Assistance

Information concerning student financial aid for postsecondary education is frequently the subject of inquiry from constituents. The Louisiana Office of Student Financial Assistance (LOSFA) acts as the state guarantor under the Federal Family Education Loan Program and administers most state-funded grant and scholarship programs, including the Taylor Opportunity Program for Students (TOPS), a merit-based aid program, and the Louisiana Go Grant Program, a need-based aid program. LOSFA also administers the Student Tuition Assistance and Revenue Trust (START) Saving Program, a qualified state tuition program, which is designed to give parents a tax-advantaged method of saving for their children's postsecondary education and includes a matching state grant for amounts saved. Information concerning the programs administered by LOSFA and other sources of postsecondary education financing can be found on LOSFA's website <http://www.osfa.la.gov/index.jsp>

or by calling 1-800-259-5626. The financial aid office of any postsecondary institution is also a good source of information concerning student financial assistance.

Legislators also have the ability under state law to award a tuition-free scholarship at Tulane University, subject to specific guidelines. An overview of the program is available on Tulane's website <https://tulane.edu/financialaid/grants/legis.cfm> or by calling (504) 988-3390.

For more information, contact the staff of the Education Committee at (225) 342-2408.

**Information about  
Legislation**

The legislator and his or her assistant are often called upon to provide specific information about legislation, both proposed legislation being considered during session and that enacted into law during a previous session. House Legislative Services staff can help by providing information on existing or proposed law. In addition, district office assistance phone lines staffed by the Poynter Legislative Research Library and the legislative websites provide a wealth of information, including bill status, bill history, bill text, amendments, votes, fiscal notes, committee agendas, and daily journals.

See **Information Resources** beginning on page G-1.

**Keeping in Touch  
with Constituents**

To keep in touch with constituents' views, a legislator may have community meetings (town hall meetings) where people can express opinions or concerns. The legislator will also receive communications expressing opinions on certain bills and issues. Constituents will telephone, fax, e-mail, or text their legislator during session concerning the legislator's vote on certain bills. Open communication with constituents can help the legislator better understand how the people of the district stand on particular issues or bills before an upcoming vote. The House Communications Office (HCO) can assist by providing tips on how to respond to a constituent, notifying constituents of town hall meetings, and alerting the media if needed. Surveys or opinion polls, produced by and sent to voters through the HCO, can inform constituents about session activities and provide important feedback to the legislator.

The House Communications Office assists members and staff with all facets of public outreach and media relations as they develop and set public policy. To accomplish this mission, the office designs and prints marketing strategies, informational materials including speeches, House newsletters, and weekly session updates on legislation. The office creates publications that increase knowledge of and promote public involvement in the legislative process; acts as liaison with the media, schools and community organizations; and the public, and develops audio, video, and print communication materials.

The HCO website can be accessed here:

[http://house.louisiana.gov/H\\_Staff/H\\_Staff\\_Communications.aspx](http://house.louisiana.gov/H_Staff/H_Staff_Communications.aspx)

### State Capitol Tours

Arranging tours of the State Capitol may be requested by schools or other groups in the district. The state tourist information desk, located in the State Capitol Rotunda, will help with the arrangements. The House Communications Office can also provide photos of your group at the State Capitol with sufficient notice.

When a group visits during session, a legislator may introduce the group as a point of personal privilege. It is also customary after introduction in the House Chamber for a legislator to invite the group to have ice cream at the House Dining Hall at the legislator's expense.

Special items are available and can be arranged in advance such as coloring and activity books from the House Communications Office, honorary state representative certificates and student lapel pins from the Rural Caucus director, and a multitude of items from the Louisiana Capitol Foundation.

The parking lots nearest the State Capitol are closed to public parking for security reasons. Any questions or issues regarding parking should be directed to the Department of Public Safety Police, Capitol Detail.

For contact information, see **State Capitol tours** on page G-5.

### **Assisting Local Government**

Local governments rely heavily upon financial assistance from state government. State government provides assistance through annual appropriations for such programs as supplemental pay for police and firemen, dedicated revenues from state taxes, and revenues allocated as required by the constitution. Legislators often introduce legislation to provide for assistance to local government, such as the return of sales tax revenues collected from hotels to the tourism commission, the governing authority, or some other entity in the parish in which the money was collected. Legislators work with their officials to develop legislation needed to assist local governments and special districts in carrying out their functions and to assist with economic development in the member's district.

### **Emergencies and Disasters**

In the event of a declared emergency or disaster, legislators have a direct line of communication with the Governor's Unified Command Group (UCG) through the Chairman of the House Committee on Homeland Security. During this time, legislators will receive daily briefings and updates regarding the emergency or disaster. Information will be disseminated through scheduled telephone conference calls and emails, containing situational awareness reports and reports from the governor's UCG briefings. This information will assist the legislator in providing necessary information to his or her constituents.

While these reports from the UCG briefings are helpful, constituents are best served when there is direct communication between the legislator and the director for the respective Parish Office of Homeland Security (OEP). The Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP) communicates directly with each parish OEP director to facilitate information and provide the requested resources for each parish. Therefore, GOHSEP recommends that legislators first contact their parish OEP to inquire about any requests for resources made by constituents.

Parish OEP: <http://gohsep.la.gov/ABOUT/PARISHPA>

# THE LEGISLATOR AND THE CODE OF GOVERNMENTAL ETHICS

## Conflicts of Interest, Prohibited Conduct, Financial Disclosure, Post-Service Restrictions

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# THE LEGISLATOR AND THE CODE OF GOVERNMENTAL ETHICS

## Conflicts of Interest, Prohibited Conduct, Financial Disclosure, Post-Service Restrictions

The Constitution of Louisiana declares that "Legislative office is a public trust, and every effort to realize personal gain through official conduct is a violation of that trust" (Const. Art. III, §9). The constitution mandates the legislature to enact a code of ethics prohibiting conflicts between the public duty and private interests of members of the legislature. In addition, the constitution requires that the legislature enact a code of ethics for all officials and employees of the state and its political subdivisions (Const. Art. X, §21). The Code of Governmental Ethics fulfills both of the above constitutional mandates by providing a comprehensive set of statutes that apply to state and local public employees and officials and other persons.

Every elected official, appointed official, and public employee is required each year to receive a minimum of one hour of education training on the code of ethics. Every elected official is additionally required to receive a minimum of one hour of education and training on the Campaign Finance Disclosure Act during the official's term of office (R.S. 42:1170).

The Board of Ethics is charged with administering and enforcing the code of ethics. An alleged ethics code violation will be investigated by the board upon receipt of a sworn complaint or upon a two-thirds vote of the board's membership. The Ethics Adjudicatory Board conducts hearings in connection with alleged violations of the code. Information about the Board of Ethics, its opinions, and its agendas is available at the board's website ([www.ethics.la.gov](http://www.ethics.la.gov)), and information about the Ethics Adjudicatory Board, its members, rules, processes, and decisions is also available on the Internet (<http://www.adminlaw.state.la.us/ethics.htm>).

The Code of Governmental Ethics contains provisions that apply specifically to legislators, to elected officials, to public employees, and to all public servants (a term that includes elected officials, appointed officials, and public employees). Examples of important provisions are discussed below (the examples are presented from the standpoint of the legislator, but it should be noted that many of the provisions apply not only to legislators but to other elected officials, appointed officials, and public employees as well). This discussion is necessarily brief and does not fully reflect the law. The ethics code is included in **A Compilation of Selected Provisions Relative to Conflicts of Interest and Ethics of Public Officers and Employees**, which is made available to all members of the House of Representatives. For more information regarding these provisions of law, contact the staff of the House and Governmental Affairs Committee at (225) 342-2403 or the Board of Ethics at (800) 842-6630.

## Gifts

A legislator is prohibited from soliciting or receiving any thing of economic value as a gift from a paid lobbyist or person who has or is seeking to obtain a contractual or business relationship with the legislative branch or any agency in the legislative branch. A legislator is also generally prohibited from receiving any thing of economic value from a private source for the performance of his or her public duties or because of the office or position he or she holds (R.S. 42:1111 and R.S. 42:1115).

There are certain specific exceptions. For example, a legislator may receive promotional items having no substantial resale value. A legislator may also consume food, drink, or refreshments and receive "reasonable transportation" and entertainment incidental thereto while the personal guest of the giver or a representative thereof, although there is a specific dollar limit on the amount of food, drink, or refreshments that may be given at a single event (R.S. 42:1102(22) and 1115.1). (The limitation on food, drink, and refreshments was \$50 when enacted in 2008, but it is adjusted annually to reflect increases in the Consumer Price Index.)

## Prohibited Contracts

Certain contractual arrangements between legislators, certain family members, and public entities are prohibited. For example, the ethics code prohibits a legislator, a member of his or her immediate family, and certain related legal entities from bidding on, entering into, or being in any way interested in any contract, subcontract, or other transaction involving the legislative branch of state government (R.S. 42:1113(C)).

The code also generally prohibits a legislator, members of his or her immediate family, and certain related legal entities from entering into contracts with any branch, agency, department, or institution of state government or with the Louisiana Insurance Guaranty Association, the Louisiana Health Insurance Guaranty Association, or any other state quasi public entity created in law (R.S. 42:1113(D)). There are several specific exceptions to this prohibition, and for those contracts which are allowed, annual disclosure is required.

Legislators, their spouses, and certain related legal entities are also prohibited from entering into certain contracts involving disasters or emergencies. There are specific exceptions to the prohibition, but any person covered by the law (and his or her immediate family members and certain related legal entities) who receives any thing of economic value from such a contract is required to file a

disclosure statement with the Board of Ethics containing certain information about the contract. The initial statement must be filed within 30 days after entering into the contract, and annual statements must be filed thereafter (R.S. 42:1114.3).

### **Financial Disclosure**

All elected officials must file annual financial disclosure statements with the Board of Ethics. The law generally requires disclosure of specific information for the filer and his or her spouse regarding occupation, employment, business associations, income, property interests, investments, purchases and sales, and creditors. The statement is due by May 15 of each year and covers the previous calendar year (legislators and certain other elected officials may file the statement later if an extension for filing a federal tax return is obtained and the official notifies the Board of Ethics of this fact by May 15) [R.S. 42:1124.2]). The Board of Ethics has promulgated forms that must be used for annual financial disclosure.

In addition to annual financial disclosure, a legislator and any member of his immediate family who derives any thing of economic value directly through any transaction involving the legislative branch, or who derives any thing of economic value of which he may be reasonably expected to know through a person who has bid on or entered into or who is in any way financially interested in any contract, subcontract, or any transaction involving the legislative branch, must disclose the amount of income or value derived, the nature of the business activity, and, as applicable, the name and address and relationship to the legislator, and the name and business address of the legal entity. This report is due to the Board of Ethics no later than the 15th of May each year (R.S. 42:1114).

### **Payments from Nonpublic Sources**

A legislator is generally limited to receiving only compensation and benefits to which he is duly entitled from the appropriate governmental entity for performance of the duties of his office. Restrictions, and in some cases prohibitions, are placed upon receiving payments from nonpublic sources. For example, an elected official is prohibited from receiving or agreeing to receive any thing of economic value for assisting a person in a transaction or in an appearance in connection with a transaction with the governmental entity or its officials or agencies unless he files a sworn written statement with the Board of Ethics prior to or within 10 days after initial assistance is rendered. For legislators, the term "governmental entity" means the state (R.S. 42:1111).

No legislator may receive any thing of economic value for any service, the subject matter of which: (1) is devoted substantially to

the responsibilities, programs, or operations of the agency of the legislator and in which the legislator has participated or (2) draws substantially upon official data or ideas which have not become part of the body of public information.

No legislator and no legal entity in which the legislator exercises control or owns an interest in excess of 25% may receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are: (1) bona fide and actually performed by the legislator or by the entity; (2) not within the course of his official duties; (3) not prohibited by provisions relative to transactions in which the legislator or certain affiliated persons has an interest (see R.S. 42:1112), or by applicable laws or regulations governing nonpublic employment for such legislator; and (4) neither performed for nor compensated by any person who has or is seeking to obtain a contractual or other business or financial relationship with the legislator's agency. There is a limited exception for a certain period of time for the completion of contracts entered into prior to election provided that certain requirements are met (see R.S. 42:1111).

**Transactions  
Involving the  
Governmental  
Entity**

A legislator is prohibited from participating in certain transactions involving the governmental entity in which he or she or specified other persons have an interest. A legislator must recuse himself or herself from voting on matters which may constitute a conflict of interest. However, the legislator may participate in discussion and debate if he or she makes the disclosure of the conflict or potential conflict a part of the record prior to such participation and prior to the vote that is the subject of the discussion or debate (R.S. 42:1112 and 1120).

**Prohibitions  
Following  
Public Service**

For a period of two years following the termination of elected public service, a legislator is prohibited from assisting another person for compensation in a transaction or in an appearance in connection with a transaction involving the legislative branch of state government and from rendering any service on a contractual basis to or for the legislative branch. Also, a legal entity in which a former legislator is an officer, director, trustee, partner, or employee is prohibited for a period of two years following the termination of public service from assisting another person for compensation in a transaction or in an appearance in connection with a transaction in which the legislator at any time participated during his or her public service and involving the legislative branch. Former legislators are also prohibited from sharing in any compensation received by

another person for assistance that the former legislator would be prohibited from rendering (R.S. 42:1121).

### **Abuse of Office**

Using one's office or position with the intent to compel or coerce someone to provide a thing of economic value to anyone is prohibited. Using one's office or position, directly or indirectly, in a manner intended to compel or coerce any person or other public servant to engage in political activity is also prohibited (R.S. 42:1116). There is a corresponding criminal provision (R.S. 14:134.3).

### **Other Ethical Standards**

In addition to the above ethical standards, the code includes provisions prohibiting illegal payments, influencing legislative action, and nepotism. Specific exceptions to the ethics code are found in R.S. 42:1123.

Note: In addition to prohibitions in the ethics code, there are other conflict of interest provisions in the law. For example, a legislator is specifically prohibited from employing a member of his or her family as a legislative assistant (R.S. 24:31.5).

### **Penalties**

General penalties for elected officials for violations of the ethics code include censure and fines of not more than \$10,000 (R.S. 42:1153). There are also late fees that apply to the various reports required to be filed with the Board of Ethics (R.S. 42:1124.4 and 1157).

### **Related Provisions**

In addition to the ethics code, there are provisions in the Louisiana Gaming Control Law which prohibit certain public officials from engaging in certain business relationships with riverboat gaming licensees, casino operators, and pari-mutuel live racing licenses (R.S. 27:96, 261, and 373). Also, Louisiana's Criminal Code defines and prohibits a number of criminal offenses relating to public office and holders of public office. These include: public bribery (R.S. 14:118); corrupt influencing (R.S. 14:120); public intimidation (R.S. 14:122); threatening a public official (R.S. 14:122.2); perjury (R.S. 14:123); false swearing (R.S. 14:125); injuring public records (R.S. 14:132); filing false public records (R.S. 14:133); malfeasance in office (R.S. 14:134); public salary deduction (R.S. 14:135); public salary extortion (R.S. 14:136); public payroll fraud (R.S. 14:138); political payroll padding (R.S. 14:139); public contract fraud (R.S. 14:140); and prohibited splitting of profits, fees, or commissions (R.S. 14:141).



# THE LEGISLATOR AND CAMPAIGN FINANCE LAWS

## Regulating a Legislator's Campaign Contributions and Expenditures

The Board of Ethics also functions as the Supervisory Committee on Campaign Finance Disclosure. The Campaign Finance Disclosure Act (R.S. 18:1481 et seq.) requires reports of campaign contributions and expenditures for candidates and political committees. It also prohibits certain campaign conduct and limits the amounts of campaign contributions. Louisiana law does not use the terms "political action committee" or "PAC"; the terms "committee" and "political committee" are used instead. Depending upon the specific context, committee may mean a candidate's committee (which reports with the candidate) or a committee not established by a candidate that supports or opposes one or more candidates. The latter is informally referred to as a PAC. The discussion below is necessarily brief and does not fully reflect the law. More information regarding the Board of Ethics, including campaign finance reports that have been filed and opinions issued regarding campaign finance matters, can be found on the board's website ([www.ethics.state.la.us](http://www.ethics.state.la.us)). (For additional information about campaign finance laws, election offenses, and related provisions contact the staff of the House and Governmental Affairs Committee at (225) 342-2403.)

### Three Categories of Candidates

Candidates are divided into three categories: **major office** (statewide, PSC, Supreme Court, BESE, certain other offices in districts with a population over 250,000, and certain specified judicial offices); **district office** (legislature, parishwide and multiparish offices (except those that are major), offices in districts of over 35,000 population, and certain specified judicial offices), and **any other office**.

### Reports of Contributions and Expenditures

All contributions and expenditures must be reported, and the report must aggregate them for each contributor or recipient. Therefore, complete records must be kept including the sale of tickets to testimonials or other fundraising events. The records should contain the date, amount, and name and address of each contributor or recipient.

Reports must be filed with the supervisory committee on a statutorily established schedule.

Reports for state legislative office candidates must be filed electronically.

If the candidate's or committee's final report shows a deficit, a supplemental report must be filed by February 15 each year. Generally, this report must be filed annually until the reportable debts and obligations of the campaign have been extinguished.

If the candidate's or committee's final report shows a surplus, a supplemental report must also be filed by February 15 each year until the surplus is disposed of unless the candidate or committee has filed an annual report which includes the surplus funds.

Generally, if the candidate has received contributions or made expenditures, an annual report must be filed by February 15 unless the candidate or committee has filed another required report after the preceding December 10th and prior to the February 15th due date.

All reports once filed are available on the board's website ([www.ethics.state.la.us](http://www.ethics.state.la.us)).

### **Contribution Limits**

The Campaign Finance Disclosure Act specifically limits campaign contributions to legislative candidates and their committees to \$2,500, except that for contributions made by political committees certified to have over 250 members, at least 250 of which each contributed at least \$50 to the political committee during the preceding calendar year (informally referred to as "Big PACs"), the limit is \$5,000. There is a list of certified "Big PACs" on the board's website [www.ethics.state.la.us](http://www.ethics.state.la.us). These limits are per election (the primary and general election are separate elections) and do not apply to a candidate's use of his personal funds or any contributions made by a recognized political party or its committees. Legislative candidates may not accept more than \$60,000 in contributions from political committees (other than recognized political parties) for both the primary and general election.

See the chart on the next page.

### CONTRIBUTION LIMITS/LEGISLATIVE CANDIDATES

	To a legislative candidate or his committee per election <sup>1</sup>
Individual may give <sup>2</sup>	\$2,500
Family member of candidate may give	\$2,500
Legal entity may give <sup>3</sup>	\$2,500
PAC may give <sup>4</sup>	\$2,500
Big PAC <sup>5</sup> may give <sup>4</sup>	\$5,000
Democratic or Republican Party or committees may give	No limits

<sup>1</sup> The primary and general elections are considered as two separate elections.

<sup>2</sup> A husband and wife may each make a contribution to the same candidate up to the limit. However, separate checks should be used. If a single check is signed by one spouse, the other must provide an affidavit as to their intent to share in the contribution.

<sup>3</sup> Includes legal entities owned wholly or partially by candidates, except Internal Revenue Code Subchapter S corporations and LLCs wholly owned by the candidate. Parent corporations and their subsidiaries are subject to a single limit. A corporation is a parent if it owns over 50% of another corporation. A wholly owned Subchapter S corporation and its owner and a wholly owned LLC and its owner are subject to a single limit.

<sup>4</sup> Candidates are also subject to an aggregate limit on the contributions they may accept from all PACs combined for both the primary and general elections. Those limits are: \$80,000 - major office, \$60,000 - district office, and \$20,000 - any other office.

<sup>5</sup> A PAC with over 250 members, at least 250 of which each contributed over \$50 to the PAC during the preceding calendar year, that has been certified as meeting such membership requirement.

#### Use of Campaign Funds

The campaign finance laws prohibit the personal use of campaign contributions unrelated to a political campaign or to the holding of a public office or a party position. The provisions of the Campaign Finance Disclosure Act specify the purposes for which excess campaign funds may be used.

#### Prohibitions

There are several prohibitions in the Campaign Finance Disclosure Act. These include:

Contributions through or in the name of another, directly or indirectly.

Expenditures from funds which have been contributed anonymously.

Cash contributions in excess of \$100 during a calendar year (and any cash contribution of \$100 or less must be evidenced

by a receipt containing the name, address, social security number, and signature of the contributor).

Contributions from certain persons substantially interested in the gaming industry.

Contributions from foreign nationals.

Use of federal campaign funds by a candidate for state office to support his state candidacy.

Expenditures in excess of \$100 from petty cash and expenditures from petty cash for any personal services except gratuities for the serving of food or drink.

Contributions by a candidate to any committee required to file an annual statement of organization that has not filed such a statement.

Giving or accepting any thing of economic value, including reimbursement, for conveying an elector to a polling place to vote.

Accepting or depositing a contribution, loan, or transfer of funds during a regular session when running for a state legislative office, unless the election is to occur during the session or within 60 days after adjournment.

Expenditure of funds derived from contributions for any purpose by a candidate or his principal or subsidiary campaign committee so long as the candidate owes a fine, fee, or penalty imposed by a final order of a court or the supervisory committee pursuant to the Campaign Finance Disclosure Act and against which all appeal delays have lapsed.

Use of campaign funds to pay any fine, fee, or penalty imposed pursuant to the Code of Governmental Ethics.

Use of campaign funds to make any payment or expenditure to any immediate family member of the candidate, with certain limited exceptions.

## Related Provisions

Though not part of the Campaign Finance Disclosure Act the following related provisions should also be noted:

### **Fundraising Functions During Legislative Sessions**

As noted previously, accepting or depositing contributions during a regular session is generally prohibited by the Campaign Finance Disclosure Act when running for a state legislative office. However, if a legislator is not running for a state legislative office, or if the election is to occur during the session or within 60 days after adjournment, the legislator must give prior written notice to the Board of Ethics in order to have a fundraising function during a regular legislative session. In addition, prior written notice must be given to the Board of Ethics in order to have a fundraising function during an extraordinary session (R.S. 24:56 and 56.1).

### **Election Offenses and other provisions**

There are several provisions in the election code, the Code of Governmental Ethics, and other laws which prohibit certain activities related to elections and campaigns. There are prohibitions relative to bribery or intimidation of voters, election officials, and candidates; coercion to engage in various political activities; specified activities relative to fraudulent registration and voting; tampering with election equipment; electioneering; false political material; certain automated campaign calls; specified unethical campaign practices; excessive charges for political advertisements; placement of campaign signs; and use of public funds. (See R.S. 18:1461 et seq., R.S. 42:1130.1 et seq., and Part VII of Title 14)

## Penalties

There are various penalties for violations of these provisions ranging from per day late fees and civil penalties to misdemeanor and felony criminal penalties.



# THE LEGISLATOR AND LOBBYIST REGULATION

## Laws Governing the Legislator - Lobbyist Relationship

The primary laws regulating legislative lobbying are found at R.S. 24:50 et seq. This summary is necessarily brief and does not fully reflect the law. These statutes provide for the registration of lobbyists, provide for certain reports of their expenditures, and prohibit certain conduct. Only "lobbyists" as defined in the law are regulated. Elected officials and certain specified designees are excluded from the application of the law.

### Disclosure Reports

Each lobbyist must electronically file with the Board of Ethics by the 25th of each month a report for the preceding month detailing all expenditures incurred for the purpose of lobbying.

**Expenditure for this purpose means** the gift or payment of money or any thing of value for the purchase of food, drink, or refreshment for a legislator, for the spouse or minor child of a legislator, and for any legislative staff member, and any gift or payment as permitted by ethics code exceptions relative to certain specified events (R.S. 42:1123(13) and (16)) for the purpose of lobbying when the lobbyist or principal accounts or would be expected to account for the expenditure as an ordinary and necessary expense directly related to the active conduct of the lobbyist's, his employer's, or the principal's trade or business.

**Contents:** Each report must include:

- A listing of each subject matter lobbied during the reporting period.
- Total expenditures during the reporting period.
- The aggregate total of expenditures attributable to an individual legislator or legislative staff member during the reporting period, including the name of the legislator or staff member.
- The aggregate total of expenditures attributable to the spouse or minor child of a legislator during the reporting period, reported as "The aggregate total of expenditures attributable to the spouse of (name of legislator) was (aggregate total of expenditures)" or "The aggregate total of expenditures attributable to minor child or children of

(name of legislator) was (aggregate total of expenditures)."

- The aggregate total of expenditures for all reporting periods during the same calendar year and the aggregate totals of expenditures for all reporting periods during the year attributable to a legislator, legislative staff member, and spouse and minor children of a legislator (reported in the same manner as for the reporting period).
- A statement of the total expenditures for each reception or social gathering to which the entire legislature, either house, any standing committee, select committee, statutory committee, committee created by resolution of either house, subcommittee of any committee, recognized caucus, or any delegation thereof, is invited, including the name of the group or groups invited and the date and location of the reception or social gathering.

Further, any expenditure for any reception or social gathering sponsored in whole or in part by a lobbyist, individually or on behalf of a principal he represents, held in conjunction with a meeting of a national or regional organization of legislators or legislative staff is reported by including the name of the organization, the date and location of the reception or social gathering, a general description of persons associated with the organization invited to attend, and the amount of the expenditure.

However, any expenditure for any meal or refreshment consumed by or offered to a legislator in connection with the legislator giving a speech, being a member of a panel, or otherwise being involved in an informational presentation to a group is not reportable, except that such types of expenditures for out-of-state speeches permitted by R.S. 42:1123(16) must be reported.

# THE LEGISLATOR AS LAWMAKER – THE INTERIM

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# THE LEGISLATOR AS LAWMAKER – THE INTERIM

## How Committees and Legislators Can Be Effective Between Sessions

### Overview

The time between legislative sessions, known as "**the interim**", can be just as important as the session. Committee studies, including oversight, are among the most important functions of the lawmaking process. For the individual member, the time between sessions is used for working with constituents and getting ready for the next session.

An effective interim standing committee system and the ongoing activities of individual members provide a year-round presence of the legislature in state government. This can make the legislature a more effective partner in the three branch system of government.

The **committee system** in the House consists of 16 standing committees. Committee subject matter jurisdiction is defined in the House Rules (House Rule 6.6). Standing committees use the interim effectively when they fully utilize their interim authority.

Committees can study and prepare for session by examining problems and issues within their own jurisdictional areas and by development of proposed legislation.

Committees can use the interim for oversight of state government programs and operations within their subject areas, seeking to ensure that legislative intent of laws that have been enacted is carried out. They review and approve or disapprove proposed agency rules. Committees sometimes visit state facilities and hold public hearings outside Baton Rouge.

The **individual legislator** uses the interim to prepare for the next session – to gather information and seek possible solutions to problems, to develop draft legislation, and to plan for the session.

Many resources are available to both committees and to individual members to help them use the interim effectively.



# THE COMMITTEE SYSTEM – THE INTERIM BETWEEN SESSIONS

## How the Legislature Functions Through Committees

The interim activities of standing committees are critical to the role of the legislature as a co-equal branch of state government. The authority of the legislature as policymaker is exercised during the interim through the standing committees, essentially through studies, oversight, and pre-session hearing of legislation.

### Composition

The standing committee system of the House of Representatives is comprised of the 16 House committees. The committees and the specific subject matter jurisdiction of each are established by House Rules (House Rules 6.1 and 6.6).

#### House Standing Committees

- Administration of Criminal Justice
- Appropriations
- Agriculture, Forestry, Aquaculture and Rural Development
- Civil Law and Procedure
- Commerce
- Education
- Health and Welfare
- House and Governmental Affairs
- Insurance
- Judiciary
- Labor and Industrial Relations
- Municipal, Parochial and Cultural Affairs
- Natural Resources and Environment
- Retirement
- Transportation, Highways and Public Works
- Ways and Means

The chairman and members of each committee are appointed by the Speaker of the House (except that certain members of the Appropriations Committee are elected as provided by House Rules [House Rule 6.4]).

### **Types of Interim Committee Studies**

The standing committees can engage in several kinds of interim studies, all having significance for legislative policymaking. These include: studies of problems and possible solutions, often with a view toward proposed legislation; oversight of the implementation of laws previously enacted, including review of proposed agency rules; and pre-session hearings of proposed legislation and prefiled bills.

### **Research Studies**

Committees have the authority and responsibility to conduct research studies for the legislature.

House Rule 14.16 authorizes each standing committee to "study and hold hearings between sessions of the legislature on matters, subjects, or problems" within its subject matter jurisdiction as directed by the legislature or the House or by a majority of its own members. Interim meetings are subject to specific notice requirements.

Such studies may be for the purpose of examining the scope of particular problems within the committee's jurisdiction; gathering data and information; obtaining testimony and opinion; developing and evaluating alternative solutions; and drafting and considering proposed legislation. Committee activities may include on-site visits to facilities around the state that pertain to committee subject matter as well as committee hearings to receive public testimony and opinion on matters of concern to the committee and the public.

Studies may be conducted jointly with the corresponding Senate committee having jurisdiction of the subject matter or by the House committee only.

Many studies are directed by a study request, a legislative instrument requesting the committee, or a joint committee to study a particular problem. However, a committee may determine on its own initiative (subject to the Speaker's approval), that it will undertake a particular study.

## Oversight

Committees have the authority and responsibility to oversee the implementation of law.

"**Oversight**" is a much used and somewhat misunderstood term. It refers not only to the statutory authority of committees to review proposed agency rules, but also to the entire scope of all types of legislative activity that are directed to assure compliance with legislative intent in the implementation of laws.

House and Senate committees are authorized by the Administrative Procedure Act (APA) to review rules proposed by agencies within their subject matter jurisdictions. Since agency rulemaking authority is actually the delegation of the details of lawmaking to executive branch agencies, the legislature has retained authority, subject to gubernatorial override, to disapprove proposed rules. Detailed procedures for review of agency rules are specified by the APA (R.S. 49:950 et seq.).

House and Senate committees are required by Joint Rule 16 to "conduct legislative oversight of the administration of laws and programs by agencies supported ... by state funds ...". Committees may conduct in-depth program evaluations to ensure that program purposes are valid and are being served and they may also do less extensive evaluative research related to the operation of programs. They may also develop related proposed legislation.

The Sunset Law (R.S. 49:190 et seq.) abolishes executive branch agencies on specified dates unless they are re-created by the legislature prior to such dates. Standing committees are required to evaluate the agencies within their jurisdictions and the agencies' programs to determine if their legal authority should terminate. The law authorizes the committees to select particular entities or programs for more extensive evaluation.

## Hearings on Prefiled Legislation

Committees have the authority to conduct hearings on prefiled legislation prior to the session and to determine the committee report on such legislation. If the committee determines its report at a pre-session hearing, then during the session the committee must report the bill in the same way, unless the committee requests permission to change its report and the House permits the change, all within certain time frames. House Rules carefully regulate these procedures. Prefiling and pre-session hearings are intended to allow more time for committee hearings, particularly for complex and controversial matters, and to relieve the busy committee agendas

during session. Committees have seldom used this authority in recent years.

#### **Committee Broadcasts**

Committee meetings are broadcast on the Internet and on closed circuit television accessible via cable television in the State Capitol complex. Internet broadcasts of meetings are archived on the House website for later viewing. See **Information Resources for Constituents** beginning on page G-1 and **Broadcast of Legislative Proceedings** on page E-21.

## INTERIM ORGANIZATION AND FUNCTIONS OF COMMITTEES

### Committee Planning and Staffing Between Sessions

#### Planning

Effective committee study requires careful planning. Rules require committees to submit statements of study scope, anticipated meetings, and estimated cost to the Speaker for approval. Productive use of committee and staff time is best assured by an overall plan for the committee interim, including the matters to be studied by subcommittee, if any, and a plan for each study.

#### Subcommittees

Each standing committee chairman is authorized to establish subcommittees which may take action subject to approval of the committee. In addition, each standing committee has this authority. Committees often assign studies to appropriate subcommittees.

#### Effective Committee Study/ Use of Staff

The committee chairman should use staff expertise in planning each study. Such plans should include identification of the problem(s) and the questions the committee seeks to answer; the kind of information necessary to define the problem and answer the committee's questions; the methodology necessary to gather the information and the time required to gather it; and how the time for each committee meeting will be fully and productively used, including research findings to be presented and testimony to be given.

Committees should seek as much information on the topic as time permits. Longer range planning will result in obtaining better information.

**Research studies** by committees which examine problems and alternative solutions should include such staff research as: staff preparation and presentation (written and/or oral) of background information (such as data and information relative to the scope of the problem, present laws and programs related to the problem, experience, or laws of other states); staff interviews of department personnel and other interested or affected persons who may testify before the committee in order to assure that informed testimony will be provided to the committee; preparation, submission, and analysis of data from questionnaires submitted or administered to affected agencies or persons; drafting suggested questions for members to use during hearings.

**Review of proposed agency rules** by a committee should include such staff preparation as: examination of the legal authority for the rule and legislative intent related to the rule; explanation, written and oral, of the change proposed by the new rule; research into related legislative activity, particularly whether the committee has considered similar or related bills or rules; information related to possible effects of the rule. The Legislative Fiscal Office staff must review and approve the fiscal impact statements and economic impact statements prepared by the agency concerning proposed rules that the agency is required to submit with its statement of intent to adopt rules. The agency is also required to prepare a family impact statement concerning each proposed rule which must include certain specified information about the effect of the rule on family formation, stability, and autonomy.

**In-depth program evaluation** research requires considerable staff effort and continuing direction by the committee. It involves identification of program goals and objectives as established by the legislature or by program administrators and gathering of objective information and data to indicate how well such goals and objectives are met. It often examines the cost-effectiveness and efficiency of the program and its management. This can include such methodology as staff analysis of records and data of the program or gathering of new data, interviews, administration of questionnaires or surveys to affected persons, and other more traditional research into provisions of law and comparisons with other states. The Legislative Auditor and the Legislative Fiscal Office have been charged by law with conducting performance audits and program evaluations for the legislature.

**Limited program evaluation** research methods may also be used to examine specific questions related to program operations. This type of research may use some of the same methodology, although of a less extensive nature, as does a full program evaluation. It can aid in an immediate and effective committee response to problems which arise in program or department operations.

**Sunset studies** are useful in informing committees about agency programs and activities and in determining whether the agency and/or its programs continue to be needed. The sunset law outlines specific determinations the committee is required to make as part of its study to decide whether an agency should be re-created or allowed to "sunset" and cease to exist. Committee sunset activities may include a review of the indicators of program effectiveness and any audits or reports prepared by the legislative auditor.

# THE INDIVIDUAL LEGISLATOR – THE INTERIM

## What a House Member Does Between Sessions – Committee Work and Session Preparation

To be effective, activities of individual House members during the interim between legislative sessions require planning and attention. It is particularly important that each member give careful consideration to the preparation of his or her personal legislative program and to all steps necessary to assure the successful handling of that program.

### Primary Areas of Interim Activity

There are four primary areas of interim activity for the individual House member:

- **Service on committees:** This includes participation in committee activities such as oversight of proposed agency rules, oversight of the effectiveness of previously enacted legislation, studies by committees of problems in their subject areas, and development and adoption of proposed committee legislation.
- **Constituent communications:** This means following through with constituents on their interests and problems. This includes discussion, development of information, and possibly research and drafting of legislative proposals related to interests or problems identified by constituents.
- **Political subdivisions and local officials:** This includes working with local governing bodies and officials in addressing their problems, including the preparation of needed legislation, as well as providing for publication of notice of local or retirement bills and meeting any other procedural requirements.
- **Personal legislative program:** This requires the development of ideas, research, and drafts of legislation relating to the member's own particular areas of interest. The bills he or she will introduce comprise the member's personal legislative program or package.

### Guidelines

Certain guidelines must be followed to assure serious and favorable consideration of the member's proposed legislation by the legislature. Substantive, complex legislation requires special preparation, attention, and handling. The following guidelines apply particularly to such legislation, although any bill may have aspects which require that many of the following steps be followed.

These essential rules should be observed in the preparation and presentation of a member's legislation:

- **Know the content of your bill.**
- **Be generally knowledgeable of the subject matter.**
- **Be prepared to answer questions.**
- **Be willing to consider possible amendments.**

It is critical that the member fully understand his or her bill and be generally knowledgeable of the subject matter, using self-education and staff briefings and research. The staff can be a great help. No member can be an expert on everything, and no member will be accepted or recognized as an expert on everything.

Preparation must begin in a timely manner. Complex legislation requires time for research, drafting, and familiarizing oneself and potential supporters with the provisions of the proposal.

#### How to Use Staff

**Get to know staff** having expert knowledge of the subject matter and seek their assistance to develop expertise and to become as specialized in knowledge as is necessary to handle one's bill.

The staff will provide objective, nonpartisan research and will try to develop the idea and draft the bill as the member instructs. It is important to **communicate the request to staff clearly. Contact staff as early as possible**, even when the idea is only in the formative stages, and further consultation with staff should occur as the member develops the idea. Staff members can provide information about the history of similar legislative proposals, suggestions for implementation, and ideas for alternative approaches. Staff can advise on procedural requirements, such as session subject matter limitations and requirements for publication of notice. It can be advantageous to invite staff to any meeting where your idea for a bill is being discussed.

**Staff does not make policy.** Although staff will try to provide as much assistance as is requested and as time permits, the bill is the member's responsibility and staff needs direction from the member.

Difficult, substantive **research takes time.** Development of the legislation may require obtaining laws of other states, information

from public bodies and private agencies, and coordination of information and ideas from many sources. The earlier a bill is requested, the more time the staff will have to devote to it. A bill requested too late for thorough research and drafting may generate questions, require substantial amendment, and may not be properly considered during session. If the bill is a local or retirement bill required to be advertised prior to introduction, it is imperative that staff assistance be requested before the deadline for submission of the notice to the newspaper; if the deadline has passed, it is possible that the bill cannot be introduced.

## Developing Legislation

There are a number of key elements to consider in developing legislation. The author should review these elements in working with the drafter during the preparation of the bill itself and in obtaining the support of other members and interested groups. He or she should determine which elements apply to the bill and be fully prepared on each of them in relation to the bill. Staff can assist in obtaining information in this regard. This preparation should be completed well in advance of the session.

**What is the problem that is being addressed?** This is a practical statement of the actual problem that makes the bill necessary. Carefully done, this can assist the member and the drafter in removing unnecessary and unworkable provisions from the bill. It also assists the member in explaining the bill to others.

**Is legislation the proper approach to solving the problem?** Does the solution require a change in existing law or the granting of authority to implement the solution? Does sufficient authority exist to solve the problem by administrative action? These issues are crucial to the draft and to any explanation of the bill's importance.

**What does the bill do?** Does the bill go beyond the solution sought? Does the bill have unnecessary and unwanted effects? How is it to be implemented in practice? What cost impact does it have?

**How does the bill solve the problem?** What is the actual result of the legislation? What is the actual effect on the particular problem?

**Does the bill have the support of others?** Other legislators? Interested and affected groups? The provisions of the bill to which potential supporters object may be changed before the bill is introduced if the questions on this list are answered. The answers to these questions also affect other support the bill might receive.

**Can examples of similar solutions be cited?** Citing similar statutes used successfully to solve similar problems may attest to the workable nature of the solution.

**Can likely objections be answered in advance?** Careful preparation includes anticipation of probable objections or opposing arguments to the legislation and the preparation of answers in response to such objections and arguments, including data and information. Identifying and possibly speaking with the likely opponents may be important when doing this.

The degree of development of the legislative proposal will determine how the legislator will **initiate staff efforts** in preparation of a bill:

**If the idea or need for legislation is formulated** and the member is ready to give instructions on drafting the bill, instructions should be clearly given to the drafter, and the drafter's questions answered. In developing the concept with the drafter, the author may find that factors exist (such as current law or practical requirements of implementation) that require changes in the initial approach.

**If the legislative proposal is only a concept**, the member needs research to determine the extent of the problem, possible alternative solutions and their implications, and specific provisions that might be incorporated in a solution. Staff can assist in formulating the questions to be answered and the kinds of factual information necessary to answer them, as well in suggesting solutions and raising questions about details of the proposed law. The staff does not make the decisions; the contents of the bill ultimately are the responsibility of the member.

**To Develop Effective Legislation, a House Member Should:**

- Begin preparation of legislation well in advance of the session.
- Request preparation and drafting of legislation as ideas are being generated and discussed, not after proposals are developed.
- Give staff the time necessary to do a good and thorough job.

## Member Responsibility

When it is complete, it is important for the member to review the bill draft in detail. The member should ask the drafter to point out areas which the drafter thinks are particularly important. The author must read the entire bill closely and ask questions about any part that is not clear. Clarity of language is a hallmark of good legislation. It will also make the bill easier to explain.

## Developing Support for the Bill

Pre-session efforts to gain support and eliminate opposition may include:

- **Meeting with supporters** in order to generate publicity and enthusiasm for the legislation.
- **Meeting with other legislators** interested in the subject in order to gain their assistance and incorporate their ideas. Adding co-authors to a bill is often helpful.
- **Publicity.** Such actions as contacting interested groups, issuing press releases, and mentioning legislation in public forums will make the media and the public aware of the proposal.
- **Floating a trial balloon** involves identifying someone affected or potentially opposed and obtaining an initial response to the idea. One possible approach is to contact the affected state agency which will be required to implement the law and ask for comments on the proposal.
- **Anticipating and trying to work out problems.** This means identifying the likely opposition and including or removing provisions to make the legislation more palatable, or providing information to those opposed to disprove their objections.
- **Redrafting.** If necessary to make technical corrections, to make the implementation more workable, or to answer objections of supporters or would-be opponents, the language and provisions of the bill can be rewritten. Changes to the bill are best done before the bill is filed.
- **Preparing responses to the opposition.** When the opposition is identified and the arguments against the proposal known, arguments and information to refute the objections can be prepared.



# HOW STAFF ASSISTS COMMITTEES AND MEMBERS DURING THE INTERIM

## What Staff Can Do to Make Committees and Individual Members More Effective Between Sessions

### Overview

Legislative staff provides a variety of types of assistance to legislators in the interim to aid them in their lawmaking role and in their capacities as representatives and as overseers of the departments and programs of state government. The most effective members of the legislature take best advantage of the staff services available. Research, legislative oversight, and bill drafting services for individual members and committees are provided by House Legislative Services. The Legislative Fiscal Office and the Legislative Auditor also provide research, data, and information to members. Although the discussion below focuses on House Legislative Services staff, much of what is said also applies to other staff.

The preceding sections of this guide describe how individual House members and standing committees make effective use of the interim period between sessions of the legislature. It is the mission of House Legislative Services (HLS) to provide the type of assistance to both committees and individual members that assure productive and effective use of this time between sessions.

Staff assistance can be generally categorized as: research, legislative oversight, and bill drafting. The interim activities of both individual legislators and legislative committees require these kinds of staff assistance.

### Research

Individual members and committees may request information from HLS about any matter within their legislative responsibilities. Staff research to respond to such requests for information may include:

- **General background** – including descriptions of governmental programs, statistics, provisions of current law, and information about a problem.
- **Specific information and data** – including information and data specific to the particular problem or programs.

- **Legislative history** – detailing prior legislative action on the subject in Louisiana.
- **Court decisions** – reflecting the content and significance of particular decisions as they relate to the matter under study.
- **Federal laws or laws of other states** – including descriptions, comparisons, and in the case of federal law, requirements for state action or prohibitions on it.
- **Alternative solutions and their pros and cons** – listing of alternative solutions to problems under study and explanation of their advantages and disadvantages.
- **Evaluation** – including objective indicators of whether and how well governmental programs have been implemented and information about possible impact of proposals.

Such research may be handled quickly or may be in-depth, depending upon the nature of the matter under study and the time available. In many cases, staff will try to provide a written response in memorandum form in the detail required; but, if time does not permit, a quick answer based upon findings only from readily available sources can be provided by telephone or e-mail. In some cases, the staff will provide copies of material from other sources.

### Committee Studies

In addition to the general research types listed above, legislative staff can play an important role for committees in the interim by assisting in the scheduling of meetings and hearings, identifying and briefing persons who can provide committee testimony, briefing committee members, preparing memoranda or research papers, outlining major alternatives, collecting and evaluating information about state agency performance, and preparing draft legislation.

### Legislative Oversight

Legislative oversight can take many forms. While the more in-depth oversight activities which require large investments of staff time, often in the nature of program evaluations or other types of extensive studies, are usually undertaken by committees, each individual legislator can use staff to obtain good information about how and how well programs have been implemented.

## **Oversight-Related Questions**

Examples of oversight-related questions legislators and committees may ask staff to research concerning state programs are:

- What regulations have been proposed or adopted and what evidence is there that they are based on legislative authority and reflect legislative intent?
- Have changes in state needs made programs and/or organizational units obsolete?
- What information is there on how many and what type of people have been served by the program and what is the cost per person of providing the service? What information is available to demonstrate whether the program is or is not cost-effective?
- What measures of performance are being used by the implementing agency to determine if the program is successful? State law (R.S. 39:31) requires departments and agencies to revise and update a strategic plan as part of the performance-based budget process (See **Budget Planning and Preparation** beginning on page F-12). The plan must include specific and measurable performance indicators for the objectives included in the plan, including indicators of input, output, outcome, and efficiency.
- What information is there that the program is successful? How does this information compare with that of other agencies and/or states that have a similar program?
- What might be done to improve the program?

## **Performance audits/program evaluations**

Studies of the efficiency and effectiveness of state government programs that employ objective methodologies to measure real program effects, to demonstrate in factual terms results or effects as related to program objectives, and to measure program operations and administration against objective standards are performance audits. The legislative auditor is charged by law with performance audits, program evaluations, and studies to enable the legislature and its committees to evaluate the efficiency,

effectiveness, and operation of state programs and activities. The Louisiana Performance Audit Program of the legislative auditor's office has been established for this purpose. It conducts a number of performance audits each year. Subject to the direction of the Joint Legislative Committee on the Budget, the Legislative Fiscal Office is responsible for continuous review of programs and agency budgets, for calling attention to inefficient practices, and for performing, at the direction of either house or any committee, in-depth studies of programs.

## Bill Drafting

Although related to session activity, most bill drafting takes place before legislative sessions. Some bills are the product of committee studies and are drafted by staff assigned to the committee working with the committee members. Most bills, however, are drafted at the request of individual members. Perhaps the most critical part of the drafting process is the request the member makes that the bill be drafted. The drafter will prepare the proposed law as the member requests; therefore, careful and accurate instructions are important. The drafter will assist the author in formulating his or her ideas if the proposal is only a concept when requested. In the case of a complicated bill, the author will work with the drafter to explore the legal and practical ramifications of the various options that are available and give instructions to the drafter about the direction the legislation should take. The legislator should take time to review with staff the practical effects of the legislation, who will implement it, what cost is involved, and similar considerations. The drafter will propose specific language; will try to make certain that all constitutional requirements are met, that no constitutional prohibitions are violated, and that no conflict exists with other statutes or federal requirements. Language needs to be carefully crafted to prevent possible misinterpretation, and all potential problems or loopholes which might result from the enactment of the legislation need to be considered. In short, drafting legislation of technical and substantive quality takes time, both for the drafter and the author.

### Remember

All requests for research or for bill drafting are confidential until the House member makes them public.

## Effective Use of Staff Services

Suggestions for the most effective use of staff services include:

- **Plan ahead** and give staff time to do the thorough job necessary for good research and bill drafting.
- If you have asked different staff members to work on the same issue, inform the staff that you have done so. This will avoid potential conflicts and allow for collaboration instead of duplication.
- If it is possible, inform the drafter **why the information is requested or what the bill draft is intended to accomplish** – all such information is treated as confidential. Likewise, **all requests for research or for bill drafting are confidential until made public by the member**. If the drafter knows why the bill has been requested, he or she can tailor the draft to the purpose and may be able to suggest a more workable means of accomplishing the same end than that requested by the member.
- **Discuss** the issue or problem with a staff person knowledgeable about the subject to develop a basic understanding as a first step in research.
- Don't hesitate to **ask for basic information** – often the basic question is critical to a clear understanding of the information wanted or the best solution to a problem.
- **Let the staff know if the research provided was useful** or if something else is needed or would have been more helpful.

The best legislative staff work is done during the period between sessions when committees and individual members follow the principles discussed here for effective staff use. Staff and legislators have more time to give to each individual matter in this interim period than they do as the session nears. Legislators will find it beneficial to use this time – and to use staff assistance – to do the research, analysis, and evaluation necessary in order to understand problems, weigh alternatives, formulate proposed solutions, develop proposals, evaluate programs, and complete clear, thorough, and workable bill drafts.



## HOW AN IDEA BECOMES A BILL



# THE LEGISLATOR AS LAWMAKER – THE SESSION

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# THE LEGISLATOR AS LAWMAKER – THE SESSION

## Being Effective During Session – In Committee and on the Floor

### Overview

The legislator's role during the session is to carry out the lawmaking function of the legislative branch. The Legislature of Louisiana exercises the power of the citizenry. The legislature may enact any law not specifically prohibited by the state or federal constitution or preempted by federal law.

Floor debate and voting on legislation during a session are the traditional roles perceived for legislators. Today, however, the legislator's role during session involves far more and is far more visible, as technology and the media have opened the legislative process to wider public access.

A chart which summarizes significant constitutional provisions governing legislative sessions introduces this Part. Areas of particular importance during a legislative session, all of which are explained more fully in the following pages, are:

- **Legislative Instruments and Documents**

Various official documents are used in the course of legislative business during a legislative session. The name of each document and a general description of each are provided.

- **Legislative Procedure in Committees**

The committee system is explained, together with the role of committees in the legislative process. Also included are the roles members and staff play, an explanation of parliamentary procedure in committee, and public access to hearings.

- **Legislative Procedure on the House Floor**

A discussion of legislative procedure used by the House to accomplish debating and voting on instruments is included.

- **Broadcast of Legislative Proceedings**

How the House provides broadcasts of committee and floor proceedings is discussed.

- **Staff Services to Assist Legislators during a Session**

The services offered members by the various components of the legislative staff, including research, bill drafting, fiscal information for members and committees, media and constituent services, and administrative support, are detailed.

## Annual Regular Legislative Sessions – Key Constitutional Provisions

Provision	Regular Sessions Even-Numbered Years	Regular Sessions Odd-Numbered Years
When session convenes	Noon, second Monday in March	Noon, second Monday in April
Maximum session length	60 legislative days in 85 calendar days	45 legislative days in 60 calendar days
Subject matter limitations	Prohibition on introducing or enacting any measure levying or authorizing a new tax or a tax increase by the state or by a statewide political subdivision or legislating with regard to tax exemptions, exclusions, deductions, or credits	Prohibition on introduction or consideration of measure having effect of law (including suspension) unless its object is to enact the General Appropriations Bill; enact the comprehensive capital budget; make an appropriation, levy or authorize a new tax, increase an existing tax; levy, authorize, increase, decrease, or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits, or legislate with regard to the issuance of bonds. Restrictions do not apply if: (1) The matter is prefiled by the prefiling deadline (this exception is limited to five of such matters per member per session); or (2) The object of the matter is to enact a local or special law which is required to be and has been advertised in accordance with Const. Art. III, Sec. 13 and is not prohibited by Const. Art. III, Sec. 12
Number of bills member may introduce	Five, unless prefiled by prefiling deadline <sup>1</sup>	Five, unless prefiled by prefiling deadline <sup>1</sup>
Deadline for prefiling of bills (Does not apply to constitutional amendments or retirement bills)	5 p.m. on the 10th calendar day prior to 1st day of session (Constitutional amendments must be prefiled at least 10 days before session) (Any retirement bills to be prefiled must be prefiled no later than 5 p.m. of the 45th calendar day prior to the 1st day of session)	5 p.m. on the 10th calendar day prior to 1st day of session (Constitutional amendments must be prefiled at least 10 days before session) (Any retirement bills to be prefiled must be prefiled no later than 5 p.m. of the 45th calendar day prior to the 1st day of session)
Deadline for bill introduction (Does not apply to constitutional amendments) (Bill introduction after deadline not permitted)	6 p.m. of the 23rd calendar day (Constitutional amendments must be prefiled at least 10 days before session)	6 p.m. of the 10th calendar day (Constitutional amendments must be prefiled at least 10 days before session)
Deadline for 3rd Reading/Final Passage	6 p.m. of 57th legislative day or 82nd calendar day whichever occurs first (Except by 2/3 vote of both houses)	6 p.m. of 42nd legislative day or 57th calendar day whichever occurs first (Except by 2/3 vote of both houses)
Time of adjournment sine die	No later than 6 p.m. on the 85th calendar day	No later than 6 p.m. on the 60th calendar day

<sup>1</sup> Exceptions permitted by joint rule. Joint Rule No. 18 provides that the following bills are not subject to five-bill limit: general appropriation bill; judicial branch appropriation; legislative branch appropriation; capital outlay bill; omnibus bond authorization bill; supplemental appropriation bills; revenue sharing bill; ancillary funds bill.

## LEGISLATIVE INSTRUMENTS AND DOCUMENTS

The following are the names and brief descriptions of various legislative instruments and documents. Additional information regarding their uses is covered in other portions of this guide.

### Bills

Bills are instruments proposing changes in either statutory law or the state constitution.

A bill designated as a **Joint Resolution** proposes to change the constitution by adding new provisions or by amending or repealing existing provisions. It requires the favorable vote of 2/3 of the elected members of each house for final passage and subsequent placement on the election ballot. It is not subject to veto by the governor.

A bill designated as an **Act** proposes to enact new statutory or uncodified law or amend or repeal existing law.

A **local bill** is one which applies only in a limited area, such as one or more designated parishes, municipalities, or political subdivisions. The constitution prohibits the enactment of a local law unless notice of intention to introduce a bill to enact such a law has been published in the official journal of the locality to be affected on **two** separate days at least 30 days prior to introduction of the bill. If the bill provides relative to the creation of a special district, the primary purpose of which includes aiding in crime prevention and adding to the security of district residents, the notice of intention to introduce the bill must be published on **three** separate days in the official journal of the locality where the special district is to be situated at least 30 days prior to introduction of the bill. Each publication of notice of intention to introduce a bill relative to the creation of a crime prevention/security district must include certain information as specified in the constitution. (Const. Art. III, §13). The constitution also prohibits the enactment of a local or special law on certain matters (Const. Art. III, §12).

A **retirement bill** is one which would change the law relating to any retirement system for public employees. Because of constitutional requirements, retirement bills are generally drafted and filed earlier than other types of bills, typically 45 days prior to introduction. Further, **notice** of intention to introduce a retirement bill must be

advertised in the official **state journal** on two separate days at least 60 days prior to introduction of the bill. If the proposed change in law is relative to a local retirement system, notice must also be published in the official journal of the locality where the system is domiciled. The legislative auditor's office must prepare an actuarial note for each retirement bill. The actuarial note contains an analysis of the proposed legislative changes and must accompany the bill through the legislative process to provide legislators at every step with a reasonably accurate estimate of the cost of the proposal to the state, system, or locality.

A **substitute bill** (including a joint resolution) is a new bill reported by a committee to substitute for a bill or bills on the same subject matter.

The **general appropriation bill** is itemized and contains only appropriations for the ordinary operating expenses of the executive branch of state government. The **capital outlay bill** contains the projects in the comprehensive state capital construction program.

## Resolutions

Resolutions are designated **concurrent** when they are considered by both houses of the legislature and are designated **simple** when considered by only one house. Except for a concurrent resolution which suspends a law, enacts the Minimum Foundation Program (MFP) formula for funding public elementary and secondary education, or affects an administrative rule, a resolution generally does not have the force and effect of law.

A **concurrent** resolution is used for a matter of interest to both houses and may originate in either the House of Representatives or the Senate. It may be used to express the sentiment of the legislature, to "urge and request" agency action, to establish certain joint committees, or to provide for joint rules of procedure.

A "suspension" resolution is a concurrent resolution used to suspend a law for a fixed period of time. It is subject to many of the procedures and formalities required for the enactment of the law, but it is not subject to veto by the governor.

A **simple** resolution is used to provide for rules of procedure or to address some other matter of interest to only one house.

## Amendments

An amendment is a device for changing the wording of a bill or resolution. An amendment proposed by a committee of a house is designated a **committee amendment**, and an amendment proposed by an individual legislator during floor debate is designated a **floor amendment**.

## Versions of Legislative Instruments

Legislative instruments are given the labels of **original**, **engrossed**, **reengrossed**, **re-reengrossed**, or **enrolled** to indicate their status throughout the course of a session.

The **original** bill or resolution means the form of the instrument at the time of its introduction. Following a favorable action on a bill by a committee in the house of origin, it is ordered by the full house to be **engrossed**. If a bill is amended on the floor, it is ordered **reengrossed**. After a bill has been reengrossed, if it is amended again in the house of origin, it will be **re-reengrossed**. This happens most often when house committee amendments from two different committees have been added and then floor amendments are adopted. (In some instances a bill may be reengrossed prior to third reading and final passage.) When an instrument is ordered to be engrossed or reengrossed, it is retyped to incorporate any amendments which have been adopted by the house of origin. A bill or resolution is not reengrossed to incorporate amendments in the second house.

The final version of an instrument which has been passed by both houses, or by the one house in the case of a simple resolution, is the **enrolled** version; and it incorporates all amendments which have been adopted during the process. If an enrolled bill is approved by the governor, it becomes an **Act** and is given an Act number by the secretary of state.

## Abstracts and Digests

The **abstract** is a generalization of the content of a bill or resolution. The **digest** is a summary of the contents of a bill or resolution. The abstract and digest are prepared by the staff. The digest is usually in a form which states the existing law and the changes proposed by the instrument. For the sake of easy reference, both are printed at the end of the instrument; but these are not actually a part of the legislation. A redigest is prepared when a bill has been amended. The redigest also contains a summary of substantive amendments which have been adopted.

### Conference Committee Reports

This document, used when the house of origin does not concur in the amendments from the second house, is essentially a proposed compromise between the chambers as to the language of the legislative instrument. It includes a statement of those amendments in the second house to be accepted and those to be rejected and any additional proposed amendments. The rules of each house provide for the appointment of three conferees to a conference committee. The members from each house on the conference committee determine the content of the conference committee report. A conference committee report must be adopted in each house by the same vote required for final passage of the instrument.

### Resumé

The Resumé is a compilation of digests of acts, resolutions, and enrolled bills vetoed by the governor, together with tables and other statistical data, for an entire legislative session.

### Study Requests

An instrument requesting that a committee study an issue during the interim between legislative sessions is called a study request and, like a resolution, may be a **simple** study request if it concerns a committee of only one house, or a **concurrent** study request if it concerns committees of both. Study requests are circulated on lists periodically during the session and are approved if not objected to by one-third of the membership of the house in question. Study requests are used only to request studies by standing committees. Resolutions sometimes request special studies.

### Commendations and Condolences

Commendations, other tributes, and condolences may be expressed by either house in the form of a simple resolution or by both houses in the form of a concurrent resolution. In addition, during the interim between sessions, individual House members may ask staff to prepare a so-called Interim Commendation or Interim Condolence to be signed only by the particular member.

### Journal and Legislative Calendar

Each house keeps a daily **journal** of its floor proceedings, including record votes, and compiles a final version for an entire session. The **Legislative Calendar** publication contains a listing of all House and Senate bills and resolutions in numerical order and a listing of the actions taken on each in chronological order, referenced to a Journal entry.

**Calendar  
and  
Order of the Day**

The term "calendar" also refers to the listing of instruments which are pending in either house at a given time. Bills are listed in the order in which they may be taken up for consideration under the rules of the particular house. In general usage, it usually refers to instruments on third reading and final passage, i.e., the regular calendar and special order calendar. The **Order of the Day** in the House is a document prepared daily by the office of the clerk, organized according to the usual order of business and listing each instrument in the appropriate order in which it may be acted upon. The **Senate Daily Digest**, prepared by the Senate Secretary, is similar.

# LEGISLATIVE PROCEDURE – THE COMMITTEE

## How Committees Function in the Lawmaking Process

The role of the committee in screening legislation during the session, particularly the respective roles of its officers, members, and staff and of authors, proponents, and opponents of legislation before the committee, is discussed below. Additional information on this topic can be found in the **Rules of Order of the House of Representatives** and in the **Quick Guide to Committee Procedure and Related Committee Information**.

### Referral and Recommittal

The session work of the House is divided among its 16 standing committees, permanent committees which have subject matter jurisdictions as prescribed in the rules of the House. During session, all legislation, except perfunctory resolutions, is referred to committees by the Speaker based upon this jurisdiction. Some instruments are required to be recommitted to a second committee after the first committee hearing: proposed constitutional amendments are recommitted to the Civil Law and Procedure Committee; the Capital Outlay Bill, the concurrent resolution to adopt the Minimum Foundation Program formula for school systems, bills creating special funds or amending the law relative to a special fund, and bills with a fiscal cost of \$100,000 or more of state general funds are recommitted to the Appropriations Committee; Senate Bills with an impact on fees or taxes in excess of \$500,000 are recommitted to the Ways and Means Committee; and resolutions relative to committee studies, instruments providing exceptions to the laws relative to public records, and instruments providing that the state join an interstate compact are recommitted to the House and Governmental Affairs Committee (House Rules 6.5, 6.6, and 6.8).

### Meeting Schedule

Each committee holds its hearings on legislation according to a uniform meeting schedule (certain day(s) of the week) and is assigned a permanent meeting room for its hearings. House Rule 6.7 designates committees as "Morning," "Afternoon," or "Weekly" committees. Morning committees usually meet on Mondays and Afternoon committees usually meet on Wednesdays, and they alternate meeting on Tuesday depending on workload. Weekly committees usually meet on Thursdays. All, however, is subject to scheduling changes.

## **Membership**

Each committee, except Appropriations, is limited to 18 members, excluding the chairman. The membership of the Appropriations Committee is specifically provided for in the rules. No member may serve on more than three standing committees or more than one committee which meets regularly at the same time (House Rules 6.3 and 6.4).

## **Officers and Members**

The officers and members of each House committee are appointed by the Speaker, except for those members of the Appropriations Committee who are elected by the membership of the House from congressional districts (House Rules 6.3 and 6.4).

The duties of the chairman include: deciding the agenda of all committee meetings; calling and presiding at such meetings; explaining rules of order and deciding points of order; allocating the time available in an equitable manner among persons testifying before the committee; recognizing committee members for questions and motions; and overseeing preparation of committee reports on legislative instruments. The vice chairman carries out the duties of the chairman in his absence.

The rights and duties of committee members include: attending all committee meetings; participating freely in committee discussions and debates; offering motions and asserting points of order; questioning witnesses; and offering amendments to and voting upon any legislative instrument before the committee (House Rules 14.2, 14.3, and 14.6).

## **Staff**

Committee staff is comprised of one or more legislative analysts or attorneys and a committee secretary.

The duties of the legislative analyst or attorney include: reviewing all legislative instruments to be considered by the committee; preparing necessary amendments, background materials, and analyses of such legislation; and compilation of committee reports.

The committee secretary is generally responsible for preparation of committee minutes and completion and maintenance of all committee documents and files.

**Rules/  
Parliamentary  
Procedure**

Committee proceedings are governed by uniform rules of committee procedure as stated in the House Rules. A committee may also adopt supplementary rules to govern its procedure. Generally, parliamentary procedure in committee is less formal than that required on the House floor (House Rule 14.1 and Chapter 14 of the House Rules).

**Quorum  
and Voting**

Presence of a quorum, that is a majority of the current membership of a committee, is required for a committee to transact business and to take official action on a matter. Except as otherwise provided by the constitution or rules, approval of a motion requires a majority of the quorum present and voting (House Rules 14.36, 14.38, 14.39, and 14.40).

**Recusal**

A committee member may recuse himself from all proceedings relating to any question in which he believes he has a conflict of interest. Members recused are not counted in determining the number required for a quorum. (House Rules 14.9 and 14.40).

**Proxy Voting**

Proxy voting by a committee member is not allowed, nor may any member vote on a matter if he was not in the committee room before the vote was announced by the chairman (House Rule 14.42).

**Roll Call Votes**

Votes on instruments and amendments to which an objection is raised are taken by roll call. Any other vote is taken by roll call if demanded by any member. All roll call votes are record votes. They appear in the records of the committee. (House Rule 14.43). (All votes on instruments, matters, and motions in committee are recorded in the records of the committee.)

**Public Hearings**

The Louisiana Constitution requires that a committee hold a public hearing and report on a bill before it is considered for final passage. (Article III, Section 15).

The constitutional requirement for a public hearing is satisfied by due notice of the committee meeting given within the time limits prescribed by the House Rules, opportunity at the meeting for interested persons to appear before the committee to testify for or against proposed legislation, and all votes being taken in meetings open to the public (See Article III, Section 15; House Rules 14.11, 14.23, 14.24, 14.25, 14.26, 14.27, 14.28, 14.29, and 14.32 and applicable provisions of R.S. 42:4.1 et seq.).

## Minutes

Minutes of each committee meeting are kept as a public record (House Rules 14.47 and 14.48. See also R.S. 42:7.1 and 7.2.). The House also maintains audio recordings of committee meetings and, since 1997, the House maintains video recordings of committee meetings held in House committee rooms in the State Capitol.

## Scheduling Legislation

Exact procedures for scheduling legislation to be heard by a committee vary among committees. Committee staff should be contacted for the scheduling system of that committee. Committee staff is also available to assist any member with legislation to be heard by the committee, including notifying interested persons, preparing amendments, and ensuring the member's presence when the instrument is heard.

## Fiscal Notes

Joint Rule No. 4 requires that a fiscal note be prepared by the legislative fiscal office for a committee to consider bills and joint resolutions: (1) affecting receipt, expenditure, allocation, or dedication of \$100,000 or more of state funds; (2) authorizing issuance of general obligation bonds of the state; (3) concerning federally funded programs involving expenditure of \$100,000 or more of state funds; (4) providing a minimum or maximum mandatory prison sentence; or (5) affecting receipt, allocation, or dedication of any political subdivision's funds.

A fiscal note prepared by the Legislative Auditor is also required for a committee to consider bills and joint resolutions: (1) affecting receipt, expenditure, allocation, or dedication of funds of state entities to which funds are not appropriated; (2) affecting expenditure of a political subdivision's funds; or (3) concerning federally funded programs involving expenditure or allocation of any political subdivision's funds.

The instrument's author, the chair of the committee to which the bill is referred, or the chief clerical officer of either house is responsible for obtaining these notes.

Fiscal notes must show a reliable estimate of the fiscal effect of the measure. Also, if a committee reports a measure with any amendment that alters the fiscal effect, the committee chair must request a revised fiscal note.

## Actuarial Notes

R.S. 24:521 requires that, at the time of consideration in committee of a bill or resolution proposing any change in the law relative to any state, parochial, or municipal retirement system funded in whole or in part by public funds, an actuarial note must be attached to the instrument. The note is to provide a reliable estimate of the financial and actuarial effect of the proposed change in any such retirement system. The legislative auditor is responsible for preparation of actuarial notes and the legislative actuary is the person on the auditor's staff who performs this function.

The instrument's author, the chair of the committee to which the bill is referred, or the chief clerical officer of either house is responsible for obtaining these notes.

When a floor amendment is offered that would substantially affect the cost to or the revenues of any retirement system as stated in the most recent actuarial note and the member proposing such amendment does not present an actuarial note on his proposed amendment, any member may offer a motion that the proposed amendment be withdrawn. If the motion is adopted by the favorable vote of a majority of the quorum present the amendment is withdrawn, but the amendment may be proposed again at any time it would otherwise be in order, provided that the required actuarial note is presented at that time. (House Rule 7.17)

R.S. 24:521(E) requires that prior to prefiling (prior to introduction if the instrument is not prefiled), the subject matter of bills or resolutions submitted to the legislative auditor for preparation of actuarial notes must be kept in strict confidence, and no information relating thereto or relating to the fiscal or actuarial effect of any such instrument shall be divulged by the legislative auditor or any of his employees, except to: the instrument's author(s); the House Clerk for House instruments and Senate Secretary for Senate instruments; the legislative fiscal officer and his staff. The same law also provides that after prefiling (after introduction if an instrument is not prefiled), copies of the actuarial note must be furnished to the author, the House Clerk for House instruments and Senate Secretary for Senate instruments, and the committee to which the instrument is referred. Actuarial notes which are no longer confidential are available on the Internet with the bill history.

### Order of Consideration

The order of consideration of legislative instruments scheduled to be heard at a committee meeting generally follows that listed in the committee notice and agenda for that meeting, but the committee may alter the order of consideration of such instruments or defer action on any of them. The agenda must adhere as closely as possible to the matters listed in the meeting notice and the meeting notice may not include any instrument not included on the committee's weekly committee schedule unless the rules are suspended. (House Rules 14.23 and 14.30)

### Author's Presence Required

Committees are prohibited from taking up a House bill or instrument unless its author or coauthor is present or has given written consent to allow the bill to be taken up in his absence (House Rule 14.12).

### Amendments

Although the author of a bill may present amendments to it for consideration, amendments must be formally offered for adoption by a committee member (House Rule 14.7).

### Committee Reports

It is the duty of the committee to consider the merits of a legislative instrument and determine whether to report it to the House as a part of its committee report.

Neither the constitution nor the House Rules require a committee to report every legislative instrument referred to it. However, legislative instruments prefiled and voted on by a committee during the interim must be reported in the same manner once they are formally introduced during the session unless otherwise authorized by the House. (House Rule 6.11(C)(2)) (See **The Committee System – The Interim Between Sessions** beginning on page D-3.)

Legislation not reported by committee, including any instruments which the committee votes to defer, may be referred to as have "died in committee."

The report of a legislative instrument must be affirmatively adopted by a majority of the quorum of the committee present and voting. Failure to adopt any report simply means the instrument remains in the committee (House Rule 6.9).

### **Committee Report**

A committee may report a legislative instrument in only one of the following ways:

- Favorably \*
- Unfavorably \*
- With amendments
- By substitute (substituting a different bill on the same subject)
- Either favorably, with amendments, by substitute, or without action with recommendation that it be recommitted to another committee

\* No amendments are included in the report.

(House Rule 6.11)

The contents of the committee report are: the report of the committee on each legislative instrument upon which the committee took action at the meeting, including the vote by which the report on the instrument was decided; the committee's recommendation on whether the instrument should be placed in Special Order, if the committee has so voted; and any amendments recommended by the committee. The report does not state any reasons for the actions taken by the committee.

Committee reports are recommendations only and must be approved by the membership of the House. Although adoption of committee reports is usually routine, a committee report is occasionally challenged on the House floor in an attempt to "override the committee". Adoption of a motion that would have the effect of rejecting the committee report, except a motion to recommit, to postpone indefinitely, or to withdraw from the files of the House, requires the favorable vote of a majority of the elected members of the House (House Rule 6.11).

## Engrossments

Upon adoption of the committee report, any committee amendments in the house of origin to a legislative instrument become part of that instrument. The process of incorporating the amendments into the instrument is called "engrossment," and the instrument itself is said to be "engrossed" for consideration by the full House (House Rule 7.8, 7.9, and 7.10). (Also see "engrossment" and "reengrossment" in the **Glossary** beginning on page H-1.)

## Senate Committees

Senate committees operate in a manner similar to House committees; however, some differences do exist. The *Rules of Order of the Senate* should be consulted.

## LEGISLATIVE PROCEDURE – THE FLOOR

The purpose of legislative sessions is to allow elected representatives the opportunity to propose, debate, and vote on legislative instruments. The rules of parliamentary procedure exist as guidelines controlling the progress of legislation, the legislative process, and the debate and voting by representatives. The guidelines control what is debated and voted on, when the debates and votes take place, and how the debates and votes are conducted. These rules of parliamentary procedure are contained in five sources listed below in relative order of importance and precedence.

- **The Louisiana Constitution**
- **The Rules of Order of the House of Representatives and *Joint Rules of the Senate and House of Representatives***
- **Custom, Usage and Practice of the House of Representatives** (A list of many of the customs, usages, and practices of the House of Representatives is maintained and may be found in the book containing the **Rules of Order of the House of Representatives**)
- **Mason’s Manual of Legislative Procedure**
- **The Louisiana Revised Statutes**

### Louisiana Constitution

In Article III, the constitution sets out the basic requirements for passage of a legislative act. These are eight in number, as follows:

- Introduction during the session.
- Single object and title indicative of that object.
- Reading of the instrument at least by title on three separate legislative days in each house.
- Public committee hearing and report.
- All actions to be taken in open public meetings.
- Favorable vote by at least a majority of the elected members of each house.
- Record vote on final passage.

- Concurrence in amendments and conference committee reports by record vote of same number required to pass the bill.

These requirements **cannot** be altered or suspended. Failure by either body to follow these requirements renders a bill null as unconstitutional.

## Rules of Order

Rules of the House of Representatives are adopted solely by the House; the Senate has its own separate rules. The rules control the daily workings of the House and especially the process by which bills proceed from introduction to final passage. This process takes a bill through a series of “Orders of Business.” These “Orders” are numerically differentiated and represent each parliamentary step between introduction and final passage. Each different type of instrument, i.e., bill or resolution, has its separately designated “Orders.” These “Orders” are divided into the Morning Hour and the Regular Order. The Morning Hour contains all of the orders preliminary to final passage; the Regular Order contains the orders for final passage, concurrence in amendments, and consideration of conference committee reports. These orders are listed in House Rules Nos. 8.1 and 8.2. (See also Special Order in House Rule 8.4.)

The Rules of Order also prescribe various procedural motions that members may make. Those commonly made during a legislative session are found in Chapter 9 of the rules, which, while not an exclusive listing, explains the most common motions.

House Rule 9.5 sets out the precedence of certain motions. When one of these nine motions has been made, only a motion of higher precedence is in order to be considered in advance of the original motion. For example, if a member moves to table a matter, another member may not move the previous question (lower order), but may move to return the bill to the calendar (higher order).

The Rules of Order may be altered or suspended. To alter the rules, the body must adopt a resolution amending the rules. To suspend the rules, a member simply moves to suspend the rules to do a certain thing. With the concurrence of two-thirds of the members present and voting, the rules are suspended.

**The Joint Rules of the Senate and House of Representatives** govern the holding of joint sessions, the functioning of joint committees, fiscal notes, and limitations on the introduction and consideration of bills.

## Rules, Customs, and Mason's Manual

When the rules are silent, the House reverts to its customary practice to govern proceedings. If no custom exists, then the House will consult **Mason's Manual of Legislative Procedure** to determine the appropriate procedure. Mason's is seldom relied upon, because the House has well-developed rules and customs.

The purpose of parliamentary procedure is to allow the body to perform its work of proposal, debate, and voting within an orderly framework. Parliamentary procedure should be designed and implemented to facilitate that purpose. The simplest procedure or solution to a parliamentary question which leads to a furtherance of the purpose is always the preferred one.

## Statutes

Louisiana's statutes generally do not govern procedure during sessions as such. However, the statutes do provide procedures for certain legislative functions, including procedures for the legislature to call itself into extraordinary session, oversight of agency rules, "sunset" review of departments and procedure for adoption of laws re-creating agencies and departments, voting by mail ballot on certain matters between sessions, requirements for public notice of introduction of certain legislation, requirements for actuarial notes, and the powers and duties of joint legislative committees created by statute.

## Special Topics

**Subject Matter Limitations:** Const. Art. III, §2 dictates the types of subject matters that the legislature may consider in odd-numbered (fiscal session) and even-numbered (general session) years. (See **Annual Regular Legislative Sessions - Key Constitutional Provisions** on page E-3 and Joint Rule No. 20.)

**Prefiling:** Const. Art. III, §2 provides that members may prefile any number of bills until 5:00 p.m. of the 10th calendar day preceding a regular session. In fiscal sessions, non-fiscal general bills must be prefiled. House Rule 7.2(A) requires prefiling of retirement bills and joint resolutions not later than 45 days prior to the first day of a regular session. Const. Art. XIII, §1 provides that constitutional amendments must be prefiled at least 10 days prior to a regular session and may be prefiled or introduced within the first five days of an extraordinary session.

Most bills are prefiled. A prefiled bill will be provisionally referred to a committee and may be debated in the committee prior to session. (See **The Committee System – The Interim Between Sessions** beginning on page D-3.) These bills are introduced on the

first day of the session and re-referred at that time.

**Advertising:** Const. Art. III, §13 and Article X, §29 provides that local bills and bills affecting retirement systems must be advertised prior to introduction. The advertisements must be published twice at least 30 days prior to introduction for most local bills, three times at least 30 days prior to introduction for security district bills, and twice at least 60 days prior to introduction for retirement bills. These notices must be published without cost to the state. (See **local bill** and **retirement bill** beginning on page E-4.)

**Session Introduction:** After the prefiling deadline, no member may introduce more than five bills, except as provided by the joint rules of the legislature (Joint Rule 18). In a regular session in an even-numbered year, no bill may be introduced after 6:00 p.m. of the 23rd calendar day; in an odd-numbered year, the deadline is 6:00 p.m. of the 10th calendar day. There is no such deadline for bill introduction in an extraordinary session, except for constitutional amendments as noted above.

**Additional  
Information**

Additional information about House Floor procedure can be found in the House publication **Quick Guide to Floor Procedure in the Louisiana House of Representatives**.

## BROADCAST OF LEGISLATIVE PROCEEDINGS

The House of Representatives utilizes state of the art audio and video systems for its committee rooms and chamber. As presently configured, the proceedings are available in several formats, both to persons in the Capitol and to the general public.

### Audio

Through directly wired audio stations in the Capitol, persons may listen to live House and Senate committee proceedings, as well as live audio from the House and Senate chambers.

### Video

Three video services are produced by the House.

First, closed circuit television (CCTV) coverage of the House committee rooms and chamber, as well as the Senate chamber and Senate committee rooms, is provided in the Capitol building. This system includes the press offices, as well as anyone in the Capitol complex subscribing to the local cable television service. The legislative channels are also provided to the members' desks in the House chamber.

Second, all committee and chamber proceedings of the House of Representatives are available live on the Internet through the House of Representatives home web page (<http://house.louisiana.gov/>) or the joint legislative web page ([www.legis.la.gov](http://www.legis.la.gov)). This service uses streaming audio and video technology to allow anyone connected to the Internet to watch the proceedings live on any desktop and on most modern tablets and smart phones. Similar services are provided by the Senate. The House proceedings, meetings and chamber sessions, are also archived on the House's Internet server and available for viewing any time after the event.

Third, either a live or tape-delayed broadcast is provided to many cable television systems in the state through a cooperative effort with Louisiana Public Broadcasting (LPB) and the Louisiana Cable Telecommunications Association. The signals originating from the Capitol are distributed by LPB via satellite to the cable systems during a four-hour time block each legislative day. These systems may air the signals when received or tape them for later broadcast.



# STAFF SERVICES TO ASSIST THE LEGISLATOR DURING SESSION

## House Legislative Services (HLS) Staff

The following is an outline of HLS staff assistance available to House members throughout the process of legislating, from the initial request for legislation to enacted law.

### Request for Legislation

The process of legislating begins when a member requests that a legislative instrument, a bill or resolution, be prepared by House Legislative Services (HLS). The member may contact any HLS staff member to make a drafting request.

### Assignment of Request

The appropriate HLS division director will make every effort to assign the request to a member of the staff who has experience with the particular subject matter area and whose primary assignment is to staff the standing committee to which the final instrument is likely to be referred by the speaker. The standing committees of the House of Representatives are divided among the five research divisions of the House staff. (See **House Legislative Services** beginning on page A-7.) (See House Rule 6.6 for committee subject matter.)

### Drafting and Digesting

The drafter will not only draw from his own training and experience, but will have the benefit of the experience of other members of the staff of his division and other divisions of House Legislative Services, as well as the Poynter Library. Subject to the rules of confidentiality, the drafter may also take advantage of information or expertise available from the staffs of the Speaker, the House Clerk, the Legislative Fiscal Office, the Louisiana State Law Institute, the Attorney General's Office, the Legislative Auditor, the appropriate executive department, or any other governmental agency or private organization, including sources in other states or such national organizations as the National Conference of State Legislatures (NCSL).

The drafter will make every effort to ensure that the bill achieves the intent of the author and that the proposed changes in law are properly integrated into present law. It is the drafter's duty to explore and raise questions of constitutionality, practicality, and policy regarding the implementation of the request, but it is the province of the legislator to decide such questions. To that end, it

is highly desirable that a free flow of information exist between the drafter and requestor or the drafter and someone with whom the requestor authorizes communication. Communication of sensitive information to a drafter should not be a concern to the requestor, since the staff operates under a rule of strict confidentiality that provides that legislative requests are confidential between the legislator and the staff.

In addition to the draft of the requested legislation, the drafter also will prepare a "digest" or explanation of the contents of the legislative instrument.

**Review  
or Checking**

Next, a senior drafter, usually a division director, will review the work of the drafter to ensure that the draft satisfies the requestor's purpose and is substantively and technically correct. The reviewer may suggest changes to improve the draft.

**Proofing  
and Correction**

After being checked, the instrument is forwarded to the Administrative Services section of HLS for proofreading and correction of technical errors and for final printing and processing for transmission to the author.

**Transmittal  
To Author**

**Prefiling/  
Introduction**

If the instrument is drafted prior to the session in time for prefiling, it is transmitted to the author in his district office. At this point, the author may ask the staff to make changes to the bill. The author must authorize the prefiling of the instrument or the filing of the instrument with the clerk for introduction. When a bill is prefiled or introduced it is given a number, becomes public, and copies are available. It also becomes available on the Internet. After prefiling (or introduction if not prefiled), all versions of the bill through the process are available on the legislature's website ([www.legis.la.gov](http://www.legis.la.gov)).

**Referral  
to Committee**

Following prefiling or introduction, an instrument is referred to one of the standing committees in accordance with the House Rules governing subject matter jurisdiction of committees. With the committee staff assistance, the chairman may decide to schedule the instrument for hearing at an appropriate point in the session or may schedule only those instruments for which the author has requested a hearing. (See House Rule 6.10.) The committee secretary, with the assistance of the committee clerk, will notify the author of an instrument concerning a proposed hearing date.

### **Committee Hearing**

Formal notices for all session committee hearings are posted in various public locations and on the Internet, and reasonable efforts are made by the committee secretary and committee clerk to notify any person who has requested notice of the committee hearing on specified instruments.

### **Committee Staff**

The committee staff usually is composed of one or more legislative analysts or attorneys, and a secretary, and is supported by other staff members of the division and its administrative secretary and division director. The committee legislative analysts or attorneys are available to provide research and information not only to the committee members but to any other House member and to prepare amendments for instruments referred to the committee. The more advance notice the staff has for needed research or preparation of amendments, the better the system works. This is particularly true for complex, major, or controversial instruments, including the general appropriation bill.

### **Fiscal and Actuarial Notes**

It is at this point that a fiscal note, estimating the fiscal impact of the proposed legislation (Joint Rule 4), or an actuarial note, estimating the actuarial effect in the case of a bill affecting retirement (R.S. 24:521 and House Rule 7.17), may be required by a committee under certain conditions. (See **Fiscal Notes** on page E-12 and **Actuarial Notes** on page E-13.)

### **Amendments and Redigests**

Following the hearing, the legislative analyst or attorney will ensure that all committee amendments are in proper order and will revise the digest of the instrument to reflect the changes contained in the committee amendments and include a list of changes proposed by the committee amendments. The amendments and redigests are reviewed by the division director. The committee secretary will prepare the committee's report to the full House.

### **The House Floor**

Prior to the expected day of floor debate and action on a legislative instrument, the committee staff for the committee that reported the instrument is available to assist with the gathering of information or preparation of floor amendments. On the day of expected floor debate and action, a request for floor amendments can be made to the staff on floor amendment duty in the amendment room in the southeast corner of the House Chamber.

### **Senate Action**

Once the legislative instrument has passed the House and is received and referred to committee in the Senate, it is important for the author to contact not only the Senate committee chairman but the committee staff as well to request that the instrument be heard. The author may handle the bill himself in the Senate committee, or he may prefer to arrange for a Senator to handle it for him, but he must arrange for a Senator to handle the bill on the Senate floor. Senate staff is responsible for preparing amendments to bills in the Senate. However, HLS staff is available to assist during these steps in the process by drafting amendments or providing information.

### **Conference Committee**

If the Senate passes and returns a legislative instrument to the House with amendments, the HLS staff will prepare an analysis thereof and discuss these changes with the author in advance of the instrument being further considered by the House. Should the House fail to concur in the amendments, a conference committee is appointed to consider the differences and report its recommendations to both houses. Usually, the staff of the committee that heard and reported the bill will prepare the conference committee report, at the direction of conference committee members, and will also prepare a digest of the instrument for use in floor action on the conference committee report.

## Other Legislative Staff

Each of the following components of other legislative staff provides the Louisiana House of Representatives with a significant service directly related to the business of a legislative session.

### Speaker's Office

The Speaker is the presiding officer at all sessions of the House. As such, his staff assists him in fulfilling his duties by providing services to the Speaker and to the members of the House during the legislative process. The Speaker's staff handles reserve seating in the Chamber; assists with visiting dignitaries; coordinates singers and those to say the prayer and the pledge of allegiance; takes care of reservations in the Rotunda; coordinates the Speaker's schedule; operates the House switchboard; advises the Speaker as requested on committee assignments of bills, procedural issues, and appointees to conference committees; aids in the supervision of all House allocated space and all House employees; acts as a liaison between the Speaker and members and other departments and offices as requested; and carries out all the administrative duties of the Speaker with regard to the House, its employees, and its members and their offices.

### Office of the Clerk

The main duties of the House Clerk involve prefiling, filing, and distributing all legislative instruments; maintaining the daily floor calendar; recording proceedings for the House Journal; serving as custodian of legislative instruments; engrossing instruments that have been amended; enrolling instruments that have passed; reading the daily journal and all motions presented to the House; receiving committee reports; informing members of pending amendments; assisting the speaker, other members, and staff with parliamentary procedure and House rules; supervising his staff and session employees, including pages; and other duties as prescribed by rule or law.

### Sergeant at Arms

The duties of the sergeant at arms are generally to be present when the House is in session and maintain order in the chamber and all legislative meeting rooms, to supervise all assistant sergeants at arms, to provide assistant sergeant at arms at each committee meeting to assist the chairman, to provide transportation between the House offices and the local airport and to and from out-of-town committee meetings, to accept deliveries, and to execute all process issued by the House. The sergeant at arms also maintains the

security of all House facilities and assists in providing security for the State Capitol. The sergeant at arms staff includes emergency responders who are able to respond to medical emergencies in the Capitol.

**House  
Communications  
Office**

The purpose of the House Communications Office (HCO) is to assist House members and staff in communicating with the public, as well as the media. The HCO designs and prints new marketing strategies, such as publications or videos, to promote current and upcoming services; develops policies for producing media services; provides still photographs for legislators and staff; creates publications that increase knowledge of and promote public involvement in the legislative process; acts as liaison with schools and community organizations as well as the media, provides constituency outreach and direct-mail marketing services, supports audio and visual services for the House, maintains all House websites and social media pages, and develops audio, video, and print communication materials for legislator and staff use concerning media communication.

**Caucuses  
and  
Delegations**

While the services provided vary among the caucuses, most serve their members as a source to assist legislative district offices, perform constituent services and special projects, and serve as liaison to other state agencies and the executive and judicial branches of government. Of particular value is the ability of the caucus or delegation staff to work with local and congressional-level officials, lobbyists, and the general public.

**Legislative  
Fiscal Office**

The Legislative Fiscal Office serves both the House and Senate by analyzing budgets and performance of the state and its agencies, preparing most fiscal notes on proposed legislation and regulations, answering fiscal information requests of individual legislators, and preparing revenue estimates for the Revenue Estimating Conference.

**Legislative Auditor**

As a constitutionally created office, the Legislative Auditor serves as fiscal advisor to the legislature and performs duties related to auditing the fiscal records of the state, its agencies, and political subdivisions. The Auditor prepares an annual report to the legislature highlighting significant audits and important fiscal matters. The Auditor prepares fiscal notes for legislation affecting local political subdivisions. He also prepares actuarial notes for legislation affecting public retirement systems. The Auditor

**Legislative  
Computer  
Center**

conducts performance audits, which include reviewing data used by state agencies and departments for fulfilling their legislative mandates.

The Legislative Computer Center provides a full array of technical support services for the Louisiana Legislature. This includes software support services, network infrastructure and operations support, and development of customized software programs written for and used by the Legislature.

The Legislative Helpdesk provides support both onsite (in the State Capitol Building) and by phone during regular business hours. After regular business hours, on weekends, and on holidays, they provide 24-hour support via an on-call system. For assistance, contact the **Legislative Helpdesk** at (225) 342-4000.

Software programs of particular interest are described below:

- **The Joint Legislative Web Page** ([www.legis.la.gov](http://www.legis.la.gov)) provides a variety of information to the public, including quick access to bill information (including current status, related documents, votes, and history) and a "Today at the Capitol" section listing all meetings occurring that day at the Capitol. During the legislative session, it provides interactive committee and floor agendas displaying the bill currently under consideration. The "**My Legis**" section of the legislative website offers additional information for legislators (with a computer password) including private bill tracking lists, emailed bill status reports, quick lists of authored bills being heard that day, personal bill notes, House and Senate staff telephone lists, and registered lobbyist information.
- **Microsoft Outlook** provides email, contacts, and calendar management for both the legislator and the district office.
- **LEGISlative Office** is a constituent management program designed specifically for use in a legislator's district office. It uses voter registration data from the member's district, and provides tools to easily search for information on constituents, track communications with constituents, create mass mailings, and manage issues and groups.
- **LEGISuite Reporting** provides a variety of predefined reports on the current status of bills such as "Instruments in a Selected Step" (for example, all bills that are waiting to be signed by the

governor) or "Instruments Pending in Committee" (all bills that have not yet been reported out of a specific committee). In addition, it allows a user to customize reports to provide certain specific information such as "all bills authored by Representative Doe which have been referred to the Committee on Commerce."

- **Legislative Search System (LSS)** allows text searches on law bodies such as the Revised Statutes, U.S. and State Constitutions, Civil Code, House/Senate/Joint Rules, etc, as well as bill and journal text for current and past sessions.
- **PREMISE®** is a West program used for searching Louisiana cases, statutes and attorney general's opinions. It is available by connecting to the Capitol Network, but works best in the Capitol. This application is installed on the legislator's laptop. For assistance searching Premise and additional West information, contact the Poynter Library at: (225) 342-2430.

### Poynter Library

The David R. Poynter Legislative Research Library (Poynter Library) is part of House Legislative Services (HLS) and is staffed by House personnel, but the Poynter Library also serves the Senate and all legislative agencies. Library staff provides members and staff copies of newspaper or journal articles, statistics, help with on-line database and Internet searches, and other information used in committee presentation and floor debate. The library is responsible for the PULS line, a toll-free telephone service to respond to questions from the public about the status of legislation, and also operates special information lines to respond to the questions of the House members and their district office staffs. The library staff also prepares subject indexes for all House and Senate instruments and Acts.

### Docket

House Docket, an office within the Administrative Services section of House Legislative Services, places constitutionally required public notices for local and retirement bills with the proper official parish or state journal(s) (usually prepared by HLS staff) when requested to do so by the author. Docket prepares the introductory packets of representatives' bills for introduction when the legislature is in session. The introduction packages are delivered to members at their desk in the House chamber for final approval before introduction.

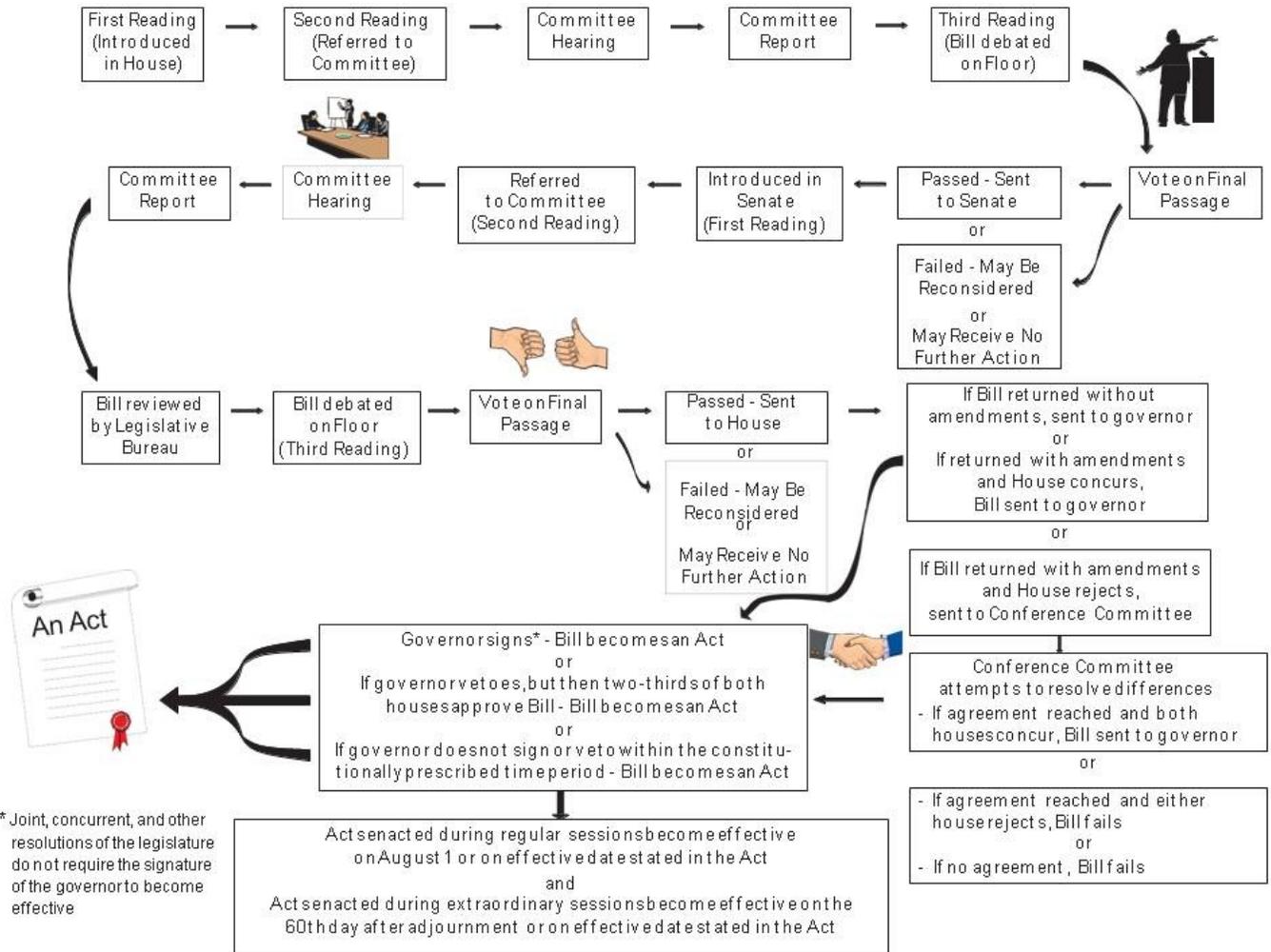
**Legislative  
Bill Room**

During session, the Legislative Bill Room is located in the basement of the Capitol in Duval Hall next to the first-aid station. Its function is to make available to the public copies of all legislative instruments, daily journals, orders of the day, committee schedules and agendas, and bill status reports for the current session. There is a charge to the public for these documents to defray printing costs.

**Law Institute**

The Louisiana State Law Institute (See **Louisiana State Law Institute** on page A-11 periodically submits recommendations for legislation, much of which has been enacted as major bodies of Louisiana law. Additionally, following each legislative session, the institute edits the Acts of the legislature and directs the manner of printing the official text of the general laws of Louisiana.

# How a Bill Becomes a Law



\* Joint, concurrent, and other resolutions of the legislature do not require the signature of the governor to become effective

# THE LEGISLATOR AS CONTROLLER OF THE PURSE STRINGS

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# THE LEGISLATOR AS CONTROLLER OF THE PURSE STRINGS

## How Legislators Shape Policy through the Budget Process

### Overview

The legislator as an individual and the legislature in general shape the policy of the state through control of the purse strings, specifically through the amendment and enactment of the operating and capital outlay budgets. The constitution vests the authority for appropriation of state monies and the power of state taxation solely with the legislature.

### Selected Constitutional Provisions

The constitution provides the framework by which the legislature controls the purse strings.

- No money shall be withdrawn from the state treasury except through a specific appropriation made in accordance with law.
- No appropriation shall be made under the heading of contingencies or for longer than one year.
- Appropriations by the legislature from the State General Fund or from dedicated funds shall not exceed the official forecast of the Revenue Estimating Conference or the expenditure limit.
- All bills raising revenue or appropriating money shall originate in the House of Representatives.
- The power of taxation shall be vested in the legislature and shall never be surrendered, suspended, or contracted away, and shall be exercised for public purposes only, except as otherwise provided for in the state constitution.
- Unless otherwise authorized by the state constitution, the state shall have no power to incur debt or issue bonds except by law enacted by two-thirds of the elected members of each house of the legislature.

Areas of particular importance in understanding the legislature's exercise of this policy-making role through the budget process are detailed in the following pages and include these sections:

- **Resources to Assist the Legislator - Fiscal Matters**

In handling this important responsibility, the House of Representatives has a number of resources available to it, including the House Legislative Services (HLS) Fiscal Division, the Legislative Fiscal Office, and the Legislative Auditor. A description of the responsibilities and services of each office begins on the next page.

- **Revenue and Bonded Indebtedness**

A summary of major state revenue sources, requirements for incurring debt, limitations on state debt, and the jurisdiction of the Ways and Means Committee is provided.

- **The Budget Process**

The operating budget process is described, including adoption of the official revenue forecast, content and submission of the executive budget, jurisdiction of the Appropriations Committee, types of appropriation bills, and interim budget procedures. The composition and responsibilities of the Joint Legislative Committee on the Budget and the Interim Emergency Board are summarized.

- **The Capital Outlay Process**

A summary of the state's capital outlay program, its phases, requirements and types of funding.

## RESOURCES TO ASSIST THE LEGISLATOR – FISCAL MATTERS

### How Staff Can Help House Members with Money Issues

Each member of the House of Representatives may seek assistance from the Fiscal Division of House Legislative Services, the Legislative Fiscal Office, the Legislative Auditor, and the Legislative Actuary. Additionally, many other state and national sources of information and assistance are available.

#### HLS Fiscal Division

The Fiscal Division of House Legislative Services provides staff for the Appropriations and Ways and Means Committees and their members. The division includes budget analysts who specialize in specific areas of governmental finance. The Fiscal Division staff provides assistance to all House members in matters dealing with the jurisdiction of these committees and with state fiscal policy issues. These services provided by the staff include:

- Legislative instruments – Drafting bills and resolutions, including amendments.
- Committee staffing – Analysis of legislation referred to committees and coordination and management of committee functions.
- Budget analysis – Analysis and evaluation of fiscal and budgetary information, including the governor's budget recommendation, and performance data related to the operation of state government.
- Research – Performance of fiscal research and policy analysis, legal research concerning the state budget and revenue issues, and other research as requested by committees or members of the House and its staff. Research includes analysis of comparative state revenue and expenditure information.
- The division also assists the Appropriations Chairman as the Chairman of the Joint Legislative Committee on the Budget (JLCB) when that position rotates to the House every two years.

## **Legislative Fiscal Office**

In accordance with the general direction and supervision of the Joint Legislative Committee on the Budget (Budget Committee), the Legislative Fiscal Office duties and functions include the following:

- Monitoring, reviewing, and analyzing the performance of state agencies and calling attention to inefficient and uneconomical practices.
- Continuous short and long-range revenue and expenditure projections.
- Preparation of fiscal notes for proposed legislation, which detail the legislation's effect on state revenues and expenditures.
- Review of requests for interim budget adjustments (BA-7s) and recommendations to the Budget Committee as to the merits of such requests.
- Review of rules and regulations by the executive branch and informing the legislature and the public as to the fiscal and economic impact of such proposed rules and regulations.
- Evaluation of requests submitted to the Interim Emergency Board and recommendations of approval or disapproval.
- Responding to fiscal information requests of committees and individual legislators to the extent practical.

## **Legislative Auditor**

The constitution provides that the legislative auditor shall serve as a fiscal advisor to the legislature and perform duties and functions provided by law related to auditing fiscal records of the state, its agencies, and political subdivisions (Const. Art. III, §11).

The auditor is elected by a majority vote of the elected members of each house and may be removed by a two-thirds vote of the elected members of each house. The basic functions of the office of the legislative auditor (R.S. 24:511 et seq.) encompass the following:

- Audit of books and accounts of the state treasurer, and other public entities, departments, and political subdivisions, the scope of which may include certification of financial

accountability, legal compliance, and evaluations of the economy, efficiency, and effectiveness of the entity audited.

- Audit of the accounts and records of each tax collector at least once a year.
- Audit of a municipality or any public, quasi public, or private agency receiving state funds when requested to do so by the Legislative Audit Advisory Council, the legislature, or a grand jury.
- Determination of all funds in the state treasury.
- Submission to the legislature and the governor, prior to each regular session, his report on the financial statements of the state, together with such comments on internal control structure and compliance with laws and regulations that are appropriate.
- Preparation of fiscal notes for proposed legislation affecting the expenditures of local government and the receipts and expenditures of any state board or commission which is not appropriated any funds in any appropriation bill.
- Conduct of performance audits, program evaluations, and other studies as needed to enable the legislature to evaluate the efficiency, effectiveness, and operation of state programs.
- Preparation of actuarial notes, which are estimates of the immediate and long-range financial and actuarial effects of proposed legislation relative to any state, parochial, or municipal retirement system funded wholly or partially from public funds.
- Responding to requests for actuarial information requests of committees and individual legislators.

The legislative auditor fills the role of state auditor and reporter on the financial affairs of the state. In fulfilling these functions, the legislative auditor is aided and advised by the Legislative Audit Advisory Council.



# REVENUE AND BONDED INDEBTEDNESS

## Key Facts about Sources of Revenues and Incurring Debt

### Constitutional Provisions Relating to Revenue Measures

- All bills raising revenue shall originate in the House of Representatives.
- The levy of a new tax, an increase in an existing tax, or a repeal of an existing tax exemption shall require the enactment of a law by two-thirds of each house of the legislature.
- Any new fee or civil fine or increase in an existing fee or civil fine, except by a department headed by a statewide elected official, also must be enacted by a two-thirds vote of the legislature.
- Regular sessions convening in odd-numbered years are restricted to consideration of legislation to enact the General Appropriation Bill and the comprehensive capital budget, or to make an appropriation; levy or authorize a new tax or increase in an existing tax; levy, authorize, increase, decrease, or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, repeals, or credits or to the issuance of bonds. In addition, each member may introduce up to five matters which are not within the subject matter restrictions of such session if it is prefiled or a local or special law which is not prohibited and has been advertised.
- No measure levying or authorizing a new tax by the state or a political subdivision whose boundaries are coterminous with the state, increasing an existing tax by such entities or legislating regarding tax exemptions, exclusions, deductions or credits may be introduced or enacted during regular sessions held in even-numbered years.
- A political subdivision of the state shall not levy a severance tax, income tax, inheritance tax, or tax on motor fuel.

### Ways and Means Committee

The subject matter jurisdiction of the Ways and Means Committee encompasses taxes and the raising of revenue; bonds and the bonding of revenue, including issuance, payment or retirement of bonds; evidences of indebtedness; the Department of Revenue; revenue collection; assessors; parish tax collectors; and the bond portion of the comprehensive state capital budget.

## Major State Revenue Sources

The Fiscal Year 2015-2016 total state budget from all means of financing is \$26.7 billion, of which \$10 billion is federal funds and \$16.7 billion is state funds, including the State General Fund, dedicated funds, and fees and self-generated revenues. The Fiscal Year 2015-2016 State General Fund as forecast by the August 14, 2015, official forecast of the Revenue Estimating Conference is \$8.851 billion. The major revenue sources are sales tax, individual income tax, corporate income and franchise taxes, gaming revenues, gasoline tax, and severance tax. The state constitution sets a rate limit on the individual income tax and the motor vehicle license tax, requiring a constitutional amendment to increase the tax rate of these two revenue sources.

## Bonded Indebtedness

The state may incur debt or issue bonds only by law enacted by two-thirds of the members of each house of the legislature, and then only if the funds are to be used for any of the following purposes: to repel invasion, suppress insurrection, provide relief from natural catastrophes, refund outstanding indebtedness at the same or a lower effective interest rate, or make capital improvements in accordance with the comprehensive capital budget adopted by the legislature. The legislature may also, by a two-thirds vote of each house, propose a statewide public referendum to authorize incurring of debt by the state for any purpose for which the legislature is not authorized to incur debt. All state general obligation bonds and certain bonds of state agencies, boards, and commissions which are secured by the full faith and credit of the state are secured by the Bond Security and Redemption Fund (Const. Art. VII, §6 and §9 (B)).

No bonds or other obligations are to be issued or sold by the state directly or through any state board, agency, or commission, or by any political subdivision of the state, unless prior written approval of the **State Bond Commission** is obtained (Const. Art. VII, §8).

The membership of the Bond Commission is as follows: the state treasurer, who serves as chairman; the governor; the lieutenant governor; the secretary of state; the attorney general; the commissioner of administration; the president of the Senate; the speaker of the House; the chairmen of the Senate Finance Committee, the House Appropriations Committee, the Senate Revenue and Fiscal Affairs Committee, and the House Ways and Means Committee; and two members of the legislature to be appointed one each respectively by the President of the Senate and Speaker of the House.

## Debt Limit

Louisiana's debt limit is established so that for Fiscal Year 2003-2004 and thereafter the amount necessary to service outstanding net state tax-supported debt (NSTSD) does not exceed 6% of the estimated money to be received by the state general fund and dedicated funds contained in the official forecast of the Revenue Estimating Conference (Const. Art. VII, §6(F) and R.S. 39:1367). The most recent status report (3/19/15) on NSTSD indicates that for Fiscal Year 2015-2016 the actual amount necessary to service such debt is 5.94%.

Included in NSTSD calculations are general obligation bonds secured by the full faith and credit of the state; debt secured by capital leases of immovable property payable by the state or annual appropriations of the state; debt secured by statewide tax revenues or special assessments; and bonds secured by self-supported revenues which in the first instance may not be sufficient to pay debt service and will then draw on the full faith and credit of the state.

R.S. 39:1365(25) provides that the legislature may not authorize general obligation bonds if the amount authorized but unissued plus the amount outstanding exceeds two times the average annual revenues in the Bond Security and Redemption Fund for the last three fiscal years. R.S. 39:1402(D) provides that the bond commission shall not issue bonds secured by the full faith and credit of the state at any time when the highest annual debt service requirement for the current or any subsequent fiscal years exceeds ten percent of the average annual revenues of the Bond Security and Redemption Fund for the last three fiscal years.



# The Budget Process

## The State Budget Process and the Legislature's Role in Planning, Adoption, and Oversight

### Constitutional Provisions Relating to Appropriations

- All bills appropriating money shall originate in the House of Representatives. The general appropriation bill shall be itemized and contain only appropriations for the ordinary operating expenses of state government. All other appropriations shall be for a specific purpose and amount.
- The governor may veto any line item in an appropriation bill.
- The governor shall submit to the legislature a budget estimate for the next fiscal year setting forth all proposed state expenditures, which shall not exceed the official forecast of the Revenue Estimating Conference and the expenditure limit for the fiscal year.
- The governor shall cause to be submitted a general appropriation bill for proposed ordinary operating expenditures which shall be in conformity with the recommendations for appropriations contained in the budget estimate.
- Appropriations by the legislature from the state general fund or from dedicated funds shall not exceed the official forecast of the Revenue Estimating Conference or the expenditure limit.
- The appropriation of any money designated in the official forecast as nonrecurring shall be made only for the purpose of early retirement or defeasance of state debt, payments on the unfunded accrued liability of public retirement systems, capital outlay, deposit into the Budget Stabilization Fund, deposit into the Coastal Protection and Restoration Fund, or for new highway construction for which federal matching funds are available.
- Appropriations shall be made only for a public purpose.

## Budget Planning and Preparation

### State Fiscal Year

The state fiscal year for which appropriations are made begins on July 1 and ends on June 30.

### Revenue Estimating Conference

The Revenue Estimating Conference establishes an **official revenue estimate** (formally known as the "official forecast") for use by the governor and the legislature in preparing and adopting the budget for each fiscal year, including designation of money that is nonrecurring. The principals of the conference are the governor, the president of the Senate, the speaker of the House, and a faculty member with revenue forecasting expertise from a public or private university in the state. Any final action establishing the official forecast must be made by a unanimous decision of the conference principals. Any change to add members to the conference or change to the unanimous vote requirement must be made by law enacted by two-thirds of the members of each house. The conference is to meet quarterly and also at any time two principals suggest that a possible revision of the forecast be considered (Const. Art. VII, §10(A)(B)).

In its adoption of a revenue forecast, the Revenue Estimating Conference will designate whether monies available for appropriation are **recurring or nonrecurring**. A budget surplus from a prior year is a common source of nonrecurring revenues. Those monies which have been designated as nonrecurring are limited in their use to: early retirement or defeasance of state debt, payments on the unfunded accrued liability of the public retirement systems, capital outlay, deposit into the Budget Stabilization Fund, deposit into the Coastal Protection and Restoration Fund, or for new highway construction for which federal matching funds are available.

**Appropriations or expenditures** for any fiscal year **shall not exceed the official forecast** of monies available for appropriation as determined in the most recently adopted official forecast for that fiscal year. Such appropriations and expenditures from the State General Fund and certain dedicated funds are as well limited by the **expenditure limit** for that fiscal year.

## Expenditure Limit

Appropriations from the State General Fund and dedicated funds may not exceed the expenditure limit for the respective fiscal year. Each year's expenditure limit is calculated by increasing the expenditure limit for the previous fiscal year by a positive growth factor. The growth factor is the average annual percentage rate of change of personal income for Louisiana for the three calendar years prior to the fiscal year for which the limit is calculated (Const. Art. VII, §10(C)).

The expenditure limit for each fiscal year is calculated by the commissioner of administration for the purpose of development and enactment of the ensuing year's state budget. This calculation must be presented to the Joint Legislative Committee on the Budget at least 35 days prior to the start of each regular session of the legislature. The expenditure limit calculated by the commissioner of administration may be changed in any fiscal year by a favorable vote of two-thirds of the elected members of each house. The legislature made one-time increases to the expenditure limits for Fiscal Years 2006-2007 and 2007-2008. In 2013, the legislature voted to reduce the expenditure limit for Fiscal Year 2013-2014 from \$15.7 billion to \$12.9 billion. This reduction decreased the amount that would be used to determine future years' expenditure limits. The expenditure limit for Fiscal Year 2015-2016 is \$13.9 billion. Federal monies, transfers between state agencies, and self-generated monies of public institutions of higher education are excluded from those monies considered in the development of the expenditure limit.

## Executive Budget

The governor is responsible for preparation of an executive budget presenting a complete financial and programmatic plan for the ensuing fiscal year based upon the official forecast of the Revenue Estimating Conference and within the expenditure limit for that fiscal year. The executive budget is a summary document which is to clearly present and highlight the programs operated by state government and financial requirements associated with each. It is accompanied by a supporting document which provides additional detail on the budget and performance recommendations for each program.

No later than November 15 of each year, each budget unit (state agency) must submit to the governor its budget request for the coming fiscal year. The executive budget office analyzes the budget requests and other information in preparing the executive budget.

A copy of the executive budget is transmitted to the Joint Legislative Committee on the Budget no later than 45 days prior to each regular session and to each member of the legislature on the first day of each regular session. (In the year of a first regular session of a new legislative term, the executive budget is provided to the Budget Committee 30 days prior to the start of the session.) Any proposals by the governor to enhance revenues beyond the official forecast, or to expend monies in excess of the expenditure limit, must be submitted separate and apart from the executive budget.

**Performance-Based  
Budgeting**

By law the state budget is a performance-based budget. Key objectives and performance targets for each program are included in the executive budget supporting document, linking performance expectations to funding levels of each program to enhance accountability. Agencies are required to report during the year on progress toward meeting their performance targets.

**Budget Enactment**

**Appropriations  
Committee**

The Appropriations Committee has 25 members: one member elected from each of the eight Board of Elementary and Secondary Education (BESE) districts of the state by House members from the district and the remaining 17 members appointed by the speaker, of whom one is appointed from each of the five Public Service Commission districts and six congressional districts and six at large.

The Appropriations Committee has six standing subcommittees which are responsible for the review of certain parts of the Executive Budget. These subcommittees are: Education, General Government, Health and Human Services, Business Development, Infrastructure and Resources, and Public Safety and Corrections.

The subject matter jurisdiction of the committee includes matters related to the appropriation and expenditure of funds, fiscal controls, deposit and investment of public funds, cash flow, economy and efficiency in government, budgetary procedures, and procurement of goods and services and professional, personal, and consulting services. The committee also considers any legislation creating a special treasury fund or with an estimated annual fiscal cost of \$100,000 or more of state general funds.

## Types of Appropriation Bills

**General Appropriation Bill** – This bill provides for the annual operating budgets of state agencies, and includes both appropriated funding levels and performance targets for the year. The bill is submitted to the legislature by the governor and must be in conformity with the executive budget. The legislature reviews and modifies the programs and recommended expenditures contained in the bill. Amendments increasing appropriations are generally added in line item form and are subject to gubernatorial veto.

**Capital Outlay Bill** – Only the projects funded by cash sources, commonly referred to as the cash portion of the bill, is reviewed and amended by the Appropriations Committee. The bond portion of the bill is within the jurisdiction of the House Committee on Ways and Means.

**Ancillary Appropriation Bill** – This bill provides for appropriation of funds as working capital for the financing of business enterprises conducted by state agencies, such as self-insurance programs, prison enterprises, cafeterias and printing centers. Appropriations are made out of special revolving working capital funds into which revenues from the operation of these enterprises are deposited, and from which allotments are made.

**Legislative Expense Bill** – The expenses of the legislature and its service agencies including House Legislative Services, Senate Research Services, the Legislative Auditor’s Office, the Legislative Fiscal Office, the Law Institute, and other support services are appropriated by means of the legislative expense bill rather than the general appropriation bill. **The Legislative Budgetary Control Council** is charged by law (R.S. 24:38) with the responsibility of reviewing and controlling the budget and expenses of the legislature and its agencies. The council is composed of the following members: the president of the Senate, the president pro tempore of the Senate, the speaker of the House, the speaker pro tempore of the House, the chairman and one member of the Senate and Governmental Affairs Committee, the chairman and one member of the House and Governmental Affairs Committee, the chairmen of the House Appropriations and Senate Finance Committees, and, ex officio, the clerk of the House and the secretary of the Senate.

**Judicial Expense Bill** – The appropriation for the expenses of the judiciary, including the supreme court, courts of appeal, district courts, and other courts, is also provided for in a separate appropriation bill. The budget preparation and expenditure control

function is vested in the **Judicial Budgetary Control Board**.

**Revenue Sharing Bill** – \$90 million is allocated annually from the State General Fund to the Revenue Sharing Fund. Monies in the fund are distributed based on the population and number of homesteads in each parish in proportion to the population and number of homesteads statewide. The revenue sharing bill, after providing deductions for retirement systems and commissions, provides for distributions to local tax recipient bodies in each parish in an amount and manner specified in the bill. (Const. Art. VII, §26).

**Judgment Bills** – Final judgments which are not paid through the risk management program require an appropriation of funds by the legislature for payment. Appropriations Committee staff review and authenticate documentation involved in the judgment, and bills appropriating funds to pay the judgments are referred to the Appropriations Committee.

**Supplemental Appropriation Bills** – Appropriations for the current fiscal year which are made during that fiscal year and which are supplemental to the state budget which was adopted by the legislature in the previous Regular Session. They provide for unanticipated expenses by utilizing excess monies available for appropriation which were not available at the time of adoption of that year's budget or which, by their nature, are unavailable for addition through interim budget adjustment.

**Other Appropriation Bills** – These include special nonrecurring expenses of the state, which may include issues such as recommendations by the Board of Tax Appeals to pay awards rendered by that board and other sundry matters. The format for these appropriations is a **supplemental appropriation bill**.

### **Interim Budget Procedures**

**Joint Legislative  
Committee  
on the Budget**

The Joint Legislative Committee on the Budget (JLCB) is composed of the members of the House Committee on Appropriations, the Senate Finance Committee, and the chairmen of both the House Ways and Means and Senate Revenue and Fiscal Affairs Committees or their designees from the members of those committees. JLCB normally meets monthly.

During the interim the committee is authorized to approve or

## Avoidance of Budget Deficits

disapprove transfers of funds and budget adjustments through the BA-7 process, and to approve requests for use of interest earnings and for change orders for capital construction projects. The committee is also extended broad authority to interpret and oversee implementation of legislative intent regarding fiscal and budgetary matters.

The committee may hold hearings each year to review budget requests and the recommended executive budget, and report its findings and recommendations two weeks prior to each regular session.

State law and constitution contain a variety of measures useful to address a projected or anticipated deficit in the state budget.

In the preparation of the state budget for an upcoming fiscal year, if the official forecast of recurring revenues for the new year is at least one percent less than the official forecast for the current fiscal year, the constitution provides that monies from dedicated funds may be made available and appropriated for purposes other than as is provided by law or constitution with respect to the use of monies in each respective fund. Certain restrictions exist, particularly with respect to the minimum foundation program.

Throughout the year, the division of administration submits a **General Fund Fiscal Status Statement** each month to the Budget Committee. This report presents the balance of the budget for the state general fund by comparing the official forecast of the Revenue Estimating Conference to the total general fund appropriations. If the report indicates that the total appropriation will exceed the official forecast, the committee is required to notify the governor that a projected deficit exists.

Upon such notification that a deficit is projected, the governor may use his interim budget balancing powers to adjust the budget for any program that is supported by revenues from a fund that is projected to experience a deficit. These include limited specific reductions in the budgets of state agencies, the issuance of executive orders to freeze certain expenditures, the use of monies from dedicated funds to be transferred for use to support appropriations from the fund projected to experience a deficit, or ultimately the call for a special session to address the budget crisis. Some actions may require the prior approval of the Joint Legislative Committee on the Budget.

**Budget Stabilization Fund** - Commonly known as the **rainy day fund**, the Budget Stabilization Fund was established to provide support to the state budget in the event of an unexpected shortfall in projected revenue either during the fiscal year or from one fiscal year to the next. Constitutionally, the fund receives deposits of monies from the following three sources: revenues which may not be appropriated within the current expenditure limit, excess mineral revenues, 25% of revenues designated as nonrecurring by the Revenue Estimating Conference. By law, the fund also receives at least \$25 million per year and a portion of the state's reimbursement for economic damages from the Deepwater Horizon Oil Spill. The balance in the fund is capped at an amount equal to 4% of the total state revenue for the prior year.

Use of monies in the fund requires a two-thirds vote of the elected members of each house. Monies may only be used to cover all or part of a projected deficit in the current fiscal year or to compensate for all or part of a drop in revenue in the next fiscal year. No more than one-third of the fund may be used in any fiscal year to cover a projected deficit in that year and/or a projected decrease in revenue in the next fiscal year (Const. Art. VII, §10.3).

As of July 1, 2015, the Budget Stabilization Fund had a balance of \$469.9 million. The fund cap for Fiscal Year 2014-2015 was \$811.4 million.

### Interim Emergency Board

The Interim Emergency Board (IEB), composed of the governor, lieutenant governor, state treasurer, the presiding officer of each house of the legislature, the chairman of the Senate Finance Committee, and the chairman of the House Committee on Appropriations, or their designees, **may appropriate money** between legislative sessions from the state general fund or may borrow on the full faith and credit of the state an amount necessary to meet an emergency. The total amount of such debt and appropriations must never exceed one-tenth of one percent of total state revenues for the previous fiscal year. Such appropriations or borrowing can only be made with the **written consent of two-thirds of the elected members of each house** of the legislature and only for emergencies which are defined by the constitution as events not reasonably anticipated by the legislature. An “event not reasonably anticipated” is defined as one not considered and rejected, in the same relative form or content, by the legislature during the preceding session either by specific legislative instrument or amendment.

# THE CAPITAL OUTLAY PROCESS

## The Capital Outlay Process and the Legislature's Role in Deciding Priorities and Funding of Construction Projects

The executive budget estimate which is presented to the legislature for consideration each regular session contains a five-year capital outlay program which provides specifically for implementation of the first year of the program (the capital outlay budget). This is introduced during the regular session as the Capital Outlay Bill. Projects included in the bill may be funded by cash or by issuance of debt through general obligation bond funding. A project financed through the issuance of debt is eligible to receive funding through a line of credit issued by the State Bond Commission.

The capital outlay budget provides for financing two types of construction: (1) highway and public works construction; and (2) buildings and other construction and improvement projects.

### Development

All requests for capital outlay financing must be submitted electronically to the division of administration by November 1st of each year. Requests by nonstate entities must be submitted through the members of the House and Senate in whose district the project will be located. As a practical matter, this requirement is customarily satisfied by a letter of support submitted to the division of administration evidencing specific endorsement of the project by the legislator. The division of administration strictly enforces the November 1st deadline; however, late applications for certain nonstate entity projects may be eligible for late approval under certain limited circumstances.

Capital outlay expenditures for construction of major state infrastructure projects (roads, bridges, etc.) are made pursuant to priority programs which are established by law. These programs are developed and administered by DOTD, with input from the legislature and the public.

All capital outlay projects must be evaluated through a feasibility study before they may be included in the Capital Outlay Bill. This evaluation is conducted by review of the capital outlay requests by the office of facility planning and control within the division of administration, and by the Department of Transportation and Development for projects within a priority program.

## **Funding Priorities**

Projects funded by general obligation bonds are divided into priorities numbered 1 through 5. Historically, priorities 1 through 4 were used to correspond to the quarters of the fiscal year, and priority 5 was used to indicate the funding that would be needed to continue multiyear projects into future years. Today Priority 1 is generally limited to reauthorization of previously authorized projects. Priority 2 is generally reserved for new projects which are ready to begin in the current fiscal year and may be approved for cash lines of credit. Priorities 3 and 4 are rarely used. Priority 5 is reserved for trailing fund dollar amounts which may be approved for noncash lines of credit.

## **Enactment and Implementation**

The Capital Outlay Bill (HB No. 2) is amended by the legislature through modification of projects in the bill, or addition of new projects eligible for funding. The Omnibus Bond Authorization Bill (HB No. 3) provides the authorization for the sale of the bonds necessary to finance projects within the Capital Outlay Bill.

The method of financing included in the Capital Outlay Bill may differ from project to project. Cash appropriations become effective when the bill takes effect and the funds are available for the project at that time. Bond funding is contingent upon the project receiving a line of credit recommendation from the division of administration and approval of the line of credit from the State Bond Commission. The Bond Commission is authorized to grant or withdraw cash and noncash lines of credit for projects authorized in the Capital Outlay Act. Each fiscal year, a limited amount of cash capacity is available to fund projects. The Act requires that the first order of funding is for cash lines of credit for projects with Priority 1 appropriations. After all Priority 1 appropriations are funded, projects with a Priority 2 appropriation may be considered for a cash line of credit. The granting of Priority 5 noncash lines of credit is not contingent upon funding of the Priority 1 projects. During the interim between legislative sessions, project priorities and other parameters may be changed through action by the Interim Emergency Board.

Generally, projects are administered by the office of facility planning and control. Recipient entities work with that office to access their funding. However, a few specific agencies, such as the department of economic development and higher education institutions, administer their own capital outlay appropriations.

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# Information Resources

## Quick Reference to Information Sources Useful to House Members

### Overview

This section provides a quick reference to useful information sources. It is divided into two parts: Information Resources for House Members and Information Resources for Constituents.

**Member Resources** includes:

- **Phone Numbers:** Organized first by legislative office and then by the type of information, including whom to contact.
- **Websites:** Information and publications available on the Internet, including legislative home pages, House-maintained websites, and legislative branch websites. Also includes information and publications available through the state's homepage, executive branch agencies, the judicial branch, and additional sites.
- **Frequently Asked Questions:** Divided into legislative, fiscal, and state government information.

**Constituent Resources** includes:

- Information sources to which **House members** and their **district office** staff may refer constituents.
- These resources are available to the **public** generally.



# Information Resources for House Members

## By Legislative Office

### House Legislative Services - Phone Directory

<b>Executive Director</b> (7 <sup>th</sup> Floor). . . . .	(225) 342-6125
<b>Commercial Regulation Division</b> (9 <sup>th</sup> Floor) Director. . . . .	(225) 342-6288
Commerce Committee. . . . .	(225) 342-6151
Health & Welfare Committee. . . . .	(225) 342-2404
Insurance Committee. . . . .	(225) 342-2406
Labor & Industrial Relations Committee. . . . .	(225) 342-6121
<b>Fiscal Division</b> (11 <sup>th</sup> Floor) Director. . . . .	(225) 342-2440
Appropriations Committee. . . . .	(225) 342-8568
Ways & Means Committee. . . . .	(225) 342-2442
<b>Governmental Affairs Division</b> (7 <sup>th</sup> & 8 <sup>th</sup> Floors) Director. . . . .	(225) 342-2398
Education Committee. . . . .	(225) 342-2408
House & Governmental Affairs Committee. . . . .	(225) 342-2403
Municipal, Parochial, & Cultural Affairs Committee. . . . .	(225) 342-2401
Retirement Committee. . . . .	(225) 342-2445
<b>Legal Division</b> (12 <sup>th</sup> Floor) Director. . . . .	(225) 342-2421
Civil Law & Procedure Committee. . . . .	(225) 342-5105
Criminal Justice Committee. . . . .	(225) 342-2409
Judiciary Committee. . . . .	(225) 342-6129
<b>Resource &amp; Infrastructure Division</b> (10 <sup>th</sup> Floor) Director. . . . .	(225) 342-6166
Agriculture Committee. . . . .	(225) 342-2411
Natural Resources & Environment Committee. . . . .	(225) 342-2402
Transportation, Highways & Public Works Committee. . . . .	(225) 342-6171
<b>Administrative Services Division</b> (24 <sup>th</sup> Floor) Director. . . . .	(225) 342-1362
Docket. . . . .	(225) 342-6458
<b>Poynter Research Library</b> (13 <sup>th</sup> Floor) Director. . . . .	(225) 342-2430
District Office Line. . . . .	(225) 342-5783 or 5128

### Key House Phone Numbers

<b>Accounting.</b> . . . . .	(225) 342-2196
<b>Clerk's Office.</b> . . . . .	(225) 342-7259
<b>Communications Office.</b> . . . . .	(225) 342-9795
<b>Human Resources Office</b> . . . . .	(225) 342-2455
<b>Property Control and Purchasing.</b> . . . . .	(225) 342-2198
<b>Sergeant at Arms.</b> . . . . .	(225) 342-1228
<b>Speaker/Speaker Pro Tempore Office.</b> . . . . .	(225) 342-7263
<b>Switchboard.</b> . . . . .	(225) 342-6945

For a listing of House staff names on the Internet, go to: [house.louisiana.gov](http://house.louisiana.gov)  
and click "Full House Staff List" under the "House Staff" link.

## Senate

Document and Records Office. . . . .	(225) 342-2365
Legislative Services Administrator. . . . .	(225) 342-0614
Switchboard. . . . .	(225) 342-2040

For a listing of Senate staff on the Internet, go to: [senate.la.gov/](http://senate.la.gov/)  
and click on "Staff/Divisions"

## Legislative Computer Center

Computer Center Help Desk. . . . .	(225) 342-4000
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## Other Legislative Entities

### Caucuses and Delegations

Acadiana Delegation. . . . .	(225) 342-0349
Black Caucus. . . . .	(225) 342-7342
Capital Region Delegation. . . . .	(225) 362-9980
Democratic Caucus. . . . .	(225) 342-8654
Jefferson Delegation. . . . .	(225) 342-0356
Orleans Delegation. . . . .	(225) 342-8301
Republican Delegation. . . . .	(225) 342-6287
Rural Caucus. . . . .	(225) 342-0365
Women's Caucus. . . . .	(225) 342-0334
Law Institute. . . . .	(225) 578-0200
Legislative Auditor. . . . .	(225) 339-3800
Legislative Fiscal Office. . . . .	(225) 342-7233
Louisiana Capitol Foundation. . . . .	(225) 342-0642

## By Type of Information

### Contacts for Legislative and General Information

#### **Bill drafting**

HLS research staff..... (225) 342-6125

#### **Budget/fiscal questions**

HLS Fiscal Division..... (225) 342-8568

#### **Current law on a specified topic**

HLS research staff..... (225) 342-6125

#### **District office expenses**

House Accounting Office..... (225) 342-2196

#### **District office research assistance**

Poynter Research Library..... (225) 342-5783 or 5128

#### **Formal legal opinion on interpretation of Louisiana law**

Attorney General..... (225) 326-6079

HLS research staff..... (225) 342-6125

#### **Government functions/services/programs - research/information**

HLS research staff..... (225) 342-6125

Poynter Research Library..... (225) 342-2430

#### **Governor's action on enrolled bill - Act number assignment**

Secretary of State Act information..... (225) 922-0309

#### **Governor's action on enrolled bill - schedule to be present for signing**

Governor's Office..... (225) 342-0955

#### **Historical legislative documents - identification/status**

Poynter Research Library..... (225) 342-2430

#### **Legislative assistant hiring/temporary session employees**

House Human Resources Office..... (225) 342-2455

#### **Photography, media, and video services**

House Communications Office..... (225) 342-9795

#### **Print copies of House bills, rules, and other legislative publications**

HLS Administrative Services..... (225) 342-6458

#### **Resolutions (Commendations and Condolences)**

HLS research staff..... (225) 342-6125

#### **Security**

House Sergeant at Arms..... (225) 342-1228

#### **State Capitol tours**

State Tourist Information Desk..... (225) 342-7317

House Communications Office..... (225) 342-9795

House Dining Hall..... (225) 342-0372

Rural Caucus Director..... (225) 342-7380

Louisiana Capitol Foundation..... (225) 342-0642

Dept. of Public Safety Police, Capitol Detail..... (225) 342-5911

#### **Visiting dignitaries/groups, honorary House member, etc.**

Speaker's Office..... (225) 342-7263



## Information and Publications Available on the Internet

The Louisiana Legislature maintains three separate websites: **Legislature** ([legis.la.gov](http://legis.la.gov)); **House** ([house.louisiana.gov](http://house.louisiana.gov)); and **Senate** ([senate.la.gov](http://senate.la.gov)). Each chamber is responsible for their own website. The presentation and content of the Legislature website is approved by the Speaker of the House and President of the Senate.

The tables that follow will help you navigate these three websites. The columns present the site address and instructions on where to find the information. Many of these publications are available in print and will be sent to members upon publication. For information on availability and additional copies, contact HLS Administrative Services at: (225) 342-6458. They are also available at Louisiana depository libraries through the State Documents Program. To locate a library near you, contact the Recorder of Documents at: (225) 342-4929.

### Available on Legislative Websites

<b>Publication/ Information</b>	<a href="http://legis.la.gov">legis.la.gov</a> Click on:	<a href="http://house.louisiana.gov">house.louisiana.gov</a> Click on:	<a href="http://senate.la.gov">senate.la.gov</a> Click on:
Committee membership	Committees	Committees	Committees
Constitution	Laws : [Table of Contents] or [Search]	Citizen's Guide : Louisiana	Documents : Louisiana Constitution
Constitutional amendments - since 1978	Laws : Amendments to the LA Constitution of 1974	Citizen's Guide : Constitutional Amendments	
Constitutional Convention records of 1973		Additional Sites : CC73 Records	
Daily legislative actions	Sessions : Daily Legislative Actions		
Delegations & caucuses	Legislators : Caucuses and Delegations	Additional Key Sites : Caucuses and Delegations	
Disabilities information	Disabilities Information	Accessibility logo at bottom of all pages	System/Services : Disability Information

<b>Publication/ Information</b>	<a href="http://legis.la.gov">legis.la.gov</a> Click on:	<a href="http://house.louisiana.gov">house.louisiana.gov</a> Click on:	<a href="http://senate.la.gov">senate.la.gov</a> Click on:
Glossary of legislative terms	How Do I..? (FAQ's) : Other Questions : #4	Citizen's Guide : Publications : Member Orientation Guide : Glossary	
Guide to House/Legislature	About the Legislature	Citizen's Guide	
How a bill becomes a law	How Do I..? (FAQ's) : Bill Questions : #4	Citizen's Guide : How a Bill Becomes a Law	
Journals	Sessions : [House Journal] or [Senate Journal]	House Journals	Session Information : select session : Daily Journals
Laws Search - Statutes, Codes, Constitution, Rules	Laws	Citizen's Guide : Louisiana Laws	Documents : Louisiana Laws
Legislation/Session information*	[Bills] or [Sessions]	Bill Search	Session Information
Legislator contact information/term limits/statistics	Legislators	Representatives	Senators
Leadership welcome		House Officers	Officers
Non-Governmental Organization (NGO) funding requests	Sessions : select session : Search NGO Funding Requests		
Orientation Guide for Louisiana House Members		Citizen's Guide : Publications : Member Orientation Guide	
Public Hearing Guide		Citizen's Guide : Public Hearing Guide	
Quick Guide to Committee/Floor Procedure in the House		Citizen's Guide : Publications : [Committee Procedure] or [Floor Procedure Guide]	
Résumé - includes citorator index and tables	Sessions : select session	Past Sessions	

<b>Publication/ Information</b>	<a href="http://legis.la.gov">legis.la.gov</a> Click on:	<a href="http://house.louisiana.gov">house.louisiana.gov</a> Click on:	<a href="http://senate.la.gov">senate.la.gov</a> Click on:
Rules of Procedure	Laws : [Table of Contents] or [Search]	Citizen's Guide : [House Rules] or [Joint Rules]	Documents : Senate Rules of Order
Seating chart	Legislators : [House Seating Chart] or [Senate Seating Chart]	Representatives : By Seating Chart	Senators : Chamber Seating Chart
Session wrap/highlights of the session		[Session Wrap] or [Regular Session Highlights]	Session Information : Session Highlights
Staff		House Staff	Staff/Divisions
Veto messages	Sessions : select session : Vetoed Bills		
Video broadcast - archived	Broadcast Archives : [House Broadcast Archives] or [Senate Broadcast Archives]	House Video : Video On Demand	Broadcast Archives
Video broadcast - live	Today's Meetings	House Video : Live Video	Today at the Senate
Webmaster - contact button at bottom of all pages	<a href="mailto:weblegis@legis.la.gov">weblegis@legis.la.gov</a>	<a href="mailto:webteam@legis.la.gov">webteam@legis.la.gov</a>	<a href="mailto:websen@legis.la.gov">websen@legis.la.gov</a>

\* Copies of the Acts of the Legislature are available through the state's official journal, The Advocate <http://theadvocate.com>. Bound copies of the Acts may be purchased from the Secretary of State's Office, (225) 922-0309. Members may contact the Poynter Library for historical research or copies of Acts.

### Available on House Intranet

<a href="http://houseintranet/">http://houseintranet/</a>	
The Louisiana House <b>Intranet</b> is accessible only to legislators and staff through the legislative computer network. Some of the website content is as follows:	
<ul style="list-style-type: none"> <li>• Numerous staff publications (bookshelf)</li> <li>• Policy and Procedure manuals</li> <li>• Archived staff/personnel videos</li> <li>• Staff information and forms</li> <li>• HR and Accounting information</li> <li>• Research Library information</li> <li>• Communications Office information</li> </ul>	<ul style="list-style-type: none"> <li>• House forms for representatives <ul style="list-style-type: none"> <li>– Complimentary Seminar Affidavit/Disclosure</li> <li>– Legislator's Affidavit for Public Speech</li> <li>– Approval for Expenses to be Paid by 3rd Party</li> <li>– Travel Request; Per Diem and Travel Expense</li> <li>– Monthly Office Expense Allowance Report</li> </ul> </li> <li>• Building access and parking information</li> </ul>

## House-Maintained Websites

In addition to the House website, the following websites are maintained by House Legislative Services. A brief description of content of particular interest is listed along with the website.

<b>House Legislative Services (HLS)</b>	<a href="http://house.louisiana.gov/H_Staff/HLS.aspx">house.louisiana.gov/H_Staff/HLS.aspx</a>
<p>Dedicated to providing professional, nonpartisan support services and resources to members of the Louisiana House of Representatives in establishing sound public policy, overseeing its delivery, and assisting the legislature in functioning as a co-equal branch of government.</p> <ul style="list-style-type: none"><li>• About</li><li>• Services</li><li>• Publications<ul style="list-style-type: none"><li>• Hot Topics (pre-session)</li><li>• Highlights and Session Wrap (post-session)</li><li>• Résumé Digest</li><li>• State Constitution</li><li>• House Rules</li><li>• Member Orientation Guide</li><li>• Quick Guide to Floor/Committee Procedure</li></ul></li><li>• Committees</li><li>• Of Interest<ul style="list-style-type: none"><li>• Constitutional Amendments</li><li>• Immigration and State Issues</li></ul></li><li>• Phone List - Arranged by committee with drafting and research area notations:<ul style="list-style-type: none"><li>• Commercial Regulation Division</li><li>• Fiscal Division</li><li>• Governmental Affairs Division</li><li>• Legal Division</li><li>• Resource and Infrastructure Division</li><li>• Administrative Services</li><li>• Research Library</li></ul></li></ul>	

<b>House Fiscal Division</b>	<a href="http://house.louisiana.gov/housefiscal">house.louisiana.gov/housefiscal</a>
<p>The mission of the House Fiscal Division is to enhance the legislative process by serving as a consistent, professional, and nonpartisan resource to all House members through accurate and objective research, analysis, bill drafting, and quality committee staffing in order to foster informed decisions on fiscal matters.</p> <ul style="list-style-type: none"><li>• Operating &amp; Capital Budgets<ul style="list-style-type: none"><li>Current state appropriations and capital outlay information</li></ul></li><li>• Tax Revenue &amp; Bond Information<ul style="list-style-type: none"><li>Access tax collection, tax expenditure and historical information</li></ul></li><li>• Data Trends &amp; Historical Information<ul style="list-style-type: none"><li>Identify trend analysis and historical information</li></ul></li><li>• The Learning Center<ul style="list-style-type: none"><li>Topics of interest, NGOs and committee members</li></ul></li><li>• Staff Budget Presentation</li></ul>	

<b>David R. Poynter Legislative Research Library</b>	<a href="http://drplibrary.legis.la.gov">drplibrary.legis.la.gov</a>
<p>The David R. Poynter Legislative Research Library provides nonpartisan research and information services to the members and staff of the Louisiana Legislature. The librarians are skilled in online database searching and can research questions using both electronic and print resources. Staff can provide guidance in the use of Calendars and Journals for detailed vote research.</p> <p>The Poynter Library maintains a public Internet site and a separate site on the legislative computer system. All House members and district offices receive a unique login and password from the library to access the legislative computer system site. Librarians provide research in Westlaw, HeinOnline, NewsBank, PACER, and individual newspapers. Mandated reports to the legislature are available in electronic format through the library's online catalog. Call (225) 342-2430 for assistance.</p> <p>Library databases include:</p> <ul style="list-style-type: none"> <li>• APA – Notices of Intent/Emergency Rules</li> <li>• Images/Photos</li> <li>• Library Catalog</li> <li>• Representatives Biographical Database</li> <li>• What's New on the Internet</li> </ul> <p>Reports sent by the library to House members:</p> <ul style="list-style-type: none"> <li>• Monthly update of mandated reports to the legislature received by the library</li> <li>• Quarterly and annual updates of agency litigation reports required by Act 204 of the 2014 RS</li> <li>• What's New on the Internet by e-mail weekly</li> <li>• Administrative Procedure Act submission updates available upon request</li> <li>• Customized reports by subject area or topic upon request</li> </ul>	

<b>Joint Legislative Committee on the Budget</b>	<a href="http://jlcb.legis.la.gov">jlcb.legis.la.gov</a>
Archived documents	Oversight & Responsibilities

### Additional Websites of House Offices

House Office:	
Accounting	<a href="http://house.louisiana.gov/H_Staff/H_Staff_Accounting.aspx">house.louisiana.gov/H_Staff/H_Staff_Accounting.aspx</a>
Clerk's Office	<a href="http://house.louisiana.gov/H_Staff/H_Staff_ClerksOffice.aspx">house.louisiana.gov/H_Staff/H_Staff_ClerksOffice.aspx</a>
Communications	<a href="http://house.louisiana.gov/H_Staff/H_Staff_Communications.aspx">house.louisiana.gov/H_Staff/H_Staff_Communications.aspx</a>
Human Resources	<a href="http://house.louisiana.gov/H_Staff/H_Staff_HR.aspx">house.louisiana.gov/H_Staff/H_Staff_HR.aspx</a>
Sergeant at Arms	<a href="http://house.louisiana.gov/H_Staff/H_Staff_Sergeant.aspx">house.louisiana.gov/H_Staff/H_Staff_Sergeant.aspx</a>
Speaker's Office	<a href="http://house.louisiana.gov/H_Staff/H_Staff_Speaker.aspx">house.louisiana.gov/H_Staff/H_Staff_Speaker.aspx</a>
Speaker Pro Temp's Office	<a href="http://house.louisiana.gov/H_Staff/H_Staff_SpeakerProTemp.aspx">house.louisiana.gov/H_Staff/H_Staff_SpeakerProTemp.aspx</a>

Separate websites are maintained by the Legislative Auditor, the Legislative Fiscal Office, and the Louisiana State Law Institute. The tables below note publications of interest along with a brief navigation guide.

### Other Legislative Branch Websites

<b>Louisiana State Law Institute</b>	<a href="http://lsli.org">lsli.org</a>
<ul style="list-style-type: none"> <li>• Council Meeting Dates/Members/Minutes</li> <li>• Biennial Report (includes historical listing and outcomes of recommendations as well as current projects)</li> <li>• LSLI Legislation</li> </ul>	
<b>Legislative Auditor</b>	<a href="http://la.la.gov">la.la.gov</a>
<p>Reports:</p> <ul style="list-style-type: none"> <li>• Audit Reports</li> <li>• Actuary Reports</li> <li>• Annual Reports</li> <li>• Non-Compliance List</li> </ul>	
<b>Legislative Fiscal Office</b>	<a href="http://lfo.louisiana.gov">lfo.louisiana.gov</a>
<p>Budget and Fiscal Documents:</p> <ul style="list-style-type: none"> <li>• Mid-Year Deficit Elimination Plans</li> <li>• Office of Group Benefits (OGB) Monthly Update</li> <li>• Act 424 of 2013 Reports (review of proposed executive budget)</li> <li>• BA-7 Analyses</li> <li>• Reductions</li> </ul>	
<p>Revenue and Economic Documents:</p> <ul style="list-style-type: none"> <li>• Current State of the Economy</li> <li>• Act 704 of 2014 Evaluations (standard set of economic and financial information for projects in excess of \$10 million)</li> <li>• Official Revenue Estimates</li> <li>• Session Revenue Fiscal Notes</li> <li>• Miscellaneous Reports</li> </ul>	
<p>Performance Indicators:</p> <ul style="list-style-type: none"> <li>• August 15th Performance Standards Adjustments</li> <li>• Performance Indicators Reports</li> </ul>	
<p>Publications:</p> <ul style="list-style-type: none"> <li>• LFO Analysis of HB 1</li> <li>• Focus on the Fisc</li> <li>• Fiscal Highlights</li> <li>• Comparative Data Report on Medicaid</li> <li>• Adult Correctional System Survey</li> </ul>	

## Information Available through InfoLouisiana

InfoLouisiana is the state's Web portal to government information and services. It provides links to state agency, judicial, and local government websites. The table below lists key access points to this information.

<b>InfoLouisiana</b>	<a href="http://louisiana.gov">louisiana.gov</a>
Services: <ul style="list-style-type: none"><li>• Licenses</li><li>• E-Mail Notifications</li><li>• Featured Online Services</li><li>• Meeting Notices</li></ul>	
Business: <ul style="list-style-type: none"><li>• Grow a Business</li><li>• Do Business With the State</li><li>• Employment</li><li>• Licenses</li></ul>	
Government: <ul style="list-style-type: none"><li>• Executive Branch</li><li>• Legislative Branch</li><li>• Judicial Branch</li><li>• Departments</li><li>• Agency Directory</li><li>• Boards and Commissions</li><li>• For State Employees</li></ul>	
Explore: <ul style="list-style-type: none"><li>• About Louisiana</li><li>• Demographics and Geography</li><li>• Education</li><li>• Kids' Page</li></ul>	
Local Louisiana - Choose a Parish: <ul style="list-style-type: none"><li>• Statistical information</li><li>• Contact links</li><li>• Other local information</li></ul>	

## Administrative Branch Resources

Documents listed below are produced by state agencies and are public documents under the State Depository Program. They are available for use at depository libraries. To locate a library near you, contact the Recorder of Documents at: (225) 342-4929.

<b>Department of Revenue</b>	<a href="http://revenue.louisiana.gov">revenue.louisiana.gov</a>
News & Publications: <ul style="list-style-type: none"><li>• Publications<ul style="list-style-type: none"><li>• Tax Exemption Budget</li></ul></li></ul>	
<b>Division of Administration</b>	<a href="http://doa.la.gov">doa.la.gov</a>
Citizens: <ul style="list-style-type: none"><li>• Litigation Disclosure Reports – Compliance with Act 204, 2014 Regular Session</li><li>• State Phone Directory</li></ul>	
Louisiana Transparency & Accountability (LA TRAC): <ul style="list-style-type: none"><li>• Expenditures</li><li>• Performance</li><li>• Contracts</li><li>• Boards &amp; Commissions</li><li>• Special Funds</li><li>• Revenues</li><li>• Economic Incentives</li></ul>	
Division Offices – Office of Planning and Budget: <ul style="list-style-type: none"><li>• Budget Documents<ul style="list-style-type: none"><li>• Appropriation Letter Package</li><li>• Executive Budget Documents – Print available to members at the Poynter Library and HLS Fiscal Division</li><li>• State Budget</li></ul></li><li>• Performance Based Budgeting</li></ul>	
Division Offices – Office of State Procurement: <ul style="list-style-type: none"><li>• Purchasing</li><li>• Professional Contracts</li><li>• State Travel &amp; Purchase Cards<ul style="list-style-type: none"><li>• Travel Policy</li><li>• Travel Guide</li></ul></li></ul>	
Office of State Register: <ul style="list-style-type: none"><li>• Louisiana Register</li><li>• Executive Orders</li><li>• Louisiana Administrative Code</li><li>• OSR Online Training</li></ul>	

<b>Ethics Administration Program</b>	<a href="http://ethics.la.gov">ethics.la.gov</a>
<p>General:</p> <ul style="list-style-type: none"> <li>• Board</li> <li>• Publications</li> <li>• Opinions</li> <li>• Forms</li> </ul>	
<p>Disclosure:</p> <ul style="list-style-type: none"> <li>• View Reports</li> <li>• Reporting Tiers for Elected Officials</li> <li>• Disclosure Forms</li> </ul>	
<p>Campaign Finance:</p> <ul style="list-style-type: none"> <li>• Leaders Software</li> <li>• Electronic Filing Affidavits</li> <li>• Filing Schedules</li> <li>• View Reports</li> <li>• PAC Lists</li> </ul>	
<p>Lobbying:</p> <ul style="list-style-type: none"> <li>• Lobbyist Online System</li> <li>• View Reports</li> <li>• Current Lobbyists</li> </ul>	
<p>Training:</p> <ul style="list-style-type: none"> <li>• Online Training</li> <li>• Live Seminars</li> </ul>	
<b>Governor's Office of Homeland Security and Emergency Preparedness</b>	<a href="http://gohsep.la.gov">gohsep.la.gov</a> and <a href="http://emergency.louisiana.gov">emergency.louisiana.gov</a>
<p>About</p> <ul style="list-style-type: none"> <li>• Contact Us <ul style="list-style-type: none"> <li>• Parish Office of Homeland Security and Emergency Preparedness (OHSEP) Contacts</li> </ul> </li> </ul> <p>Prevent</p> <ul style="list-style-type: none"> <li>• Homeland Security <ul style="list-style-type: none"> <li>• Evacuation Guide</li> </ul> </li> </ul>	
<b>Office of the Attorney General</b>	<a href="http://ag.state.la.us">ag.state.la.us</a>
Opinions	
<b>Office of State Inspector General</b>	<a href="http://oig.louisiana.gov">oig.louisiana.gov</a>
Public Reports	

<b>Secretary of State</b>	<a href="http://sos.la.gov">sos.la.gov</a>
<p>Elections &amp; Voting:  Get Election Information</p> <p>Our Office:</p> <ul style="list-style-type: none"> <li>• Obtain Publications <ul style="list-style-type: none"> <li>• Code of Governmental Ethics</li> <li>• Election Returns</li> <li>• Buckram Bound Acts of the Legislature</li> <li>• Calendars and Journals</li> <li>• Corporation Law</li> <li>• Election Code</li> <li>• Lawrason Act</li> <li>• Louisiana Facts</li> <li>• Report of the Secretary of State</li> <li>• Roster of Officials</li> <li>• Bills to Acts</li> </ul> </li> </ul>	

### Judicial Branch Resources

<b>Supreme Court - Louisiana</b>	<a href="http://lasc.org">lasc.org</a>
<ul style="list-style-type: none"> <li>• Court Rules</li> <li>• News Releases – contains opinions</li> <li>• Docket</li> <li>• Clerk's Office</li> <li>• Additional Information <ul style="list-style-type: none"> <li>• Links: Other Courts and Associations</li> </ul> </li> </ul>	
<b>Supreme Court - United States</b>	<a href="http://supremecourt.gov">supremecourt.gov</a>
<ul style="list-style-type: none"> <li>• Opinions</li> <li>• Oral Arguments</li> <li>• Case Documents</li> </ul>	

### Additional Useful Websites

Website	URL	Notes
Council of State Governments (CSG)	<a href="http://csg.org">csg.org</a>	
National Conference of State Legislatures (NCSL)	<a href="http://ncsl.org/">ncsl.org/</a>	Members and legislative assistants may register with NCSL to obtain access to restricted information.
Public Affairs Research Council of La. (PAR)	<a href="http://parlouisiana.org">parlouisiana.org</a>	Guide to the La. Legislature - print available
Southern Legislative Conference (SLC)	<a href="http://slcatlanta.org">slcatlanta.org</a>	
USA.Gov	<a href="http://usa.gov/">usa.gov/</a>	



# Frequently Asked Questions

## Historical/Session Information

- How do I find a voting record?
- How can I find legislation from prior sessions?
- Where can I find a list of prefiled bills?
- Where can I obtain a copy of a bill or public information on legislation?
- Where do I obtain a published record of House/Senate proceedings?
- How do I view the broadcast of House/Senate proceedings?
- How can I obtain a compilation of acts?
- How can I find the governor's veto messages?

### How do I find a voting record?

House Legislative Services staff may do research to provide a member (or his/her legislative assistant) information on the member's vote on a specific legislative instrument; however, HLS staff does not perform generalized research of a member's voting record. Staff will provide guidance in the use of **Calendars** and **Journals** for more detailed vote research. The voting records on each bill appear in the House and Senate **Journals** for the day a vote is taken; the **Journals** record the proceedings in the order in which they occur.

**Poynter Library Director.** . . . . . (225) 342-2430  
**Poynter Library Assistance.** . . . (225) 342-5783 or (225) 342-5128

### How can I find legislation from prior sessions?

**La. Legislature Website.** . . . . . [legis.la.gov](http://legis.la.gov)  
**Poynter Library Assistance.** . . . (225) 342-5783 or (225) 342-5128

### Where can I find a list of prefiled bills?

**The Interim Calendar** contains a list of prefiled bills with titles and committee referrals. The Clerk's Office e-mails an updated copy of the Interim Calendar to the members as new bills are prefiled.

All prefiled bills are available on the La. Legislature Website.

**La. Legislature Website.** . . . . . [legis.la.gov](http://legis.la.gov)

<b>Where can I obtain a copy of a bill or information on legislation?</b>	<p>All versions of a bill, amendments, votes, fiscal notes, and public information regarding legislation is included on the bill's page on the La. Legislature Website.</p> <p><b>La. Legislature Website.</b> . . . . . <a href="http://legis.la.gov">legis.la.gov</a></p>
<b>Where do I obtain a published record of House/Senate proceedings?</b>	<p><b>Daily House/Senate Journal.</b> During session, members may choose to receive the prior day's journals at their desks in the House Chamber. Other sources of the <b>Journals</b> are:</p> <p><b>La. Legislature Website.</b> . . . . . <a href="http://legis.la.gov">legis.la.gov</a> Click "Sessions," select session and scroll to House or Senate Journals</p>
<b>How do I view the broadcast of House/Senate proceedings?</b>	<p><b>Live coverage</b> and an <b>archive</b> of past floor debate and committee meetings are available on the La. Legislature Website.</p> <p><b>Live meetings.</b> . . . . . <a href="http://legis.la.gov">legis.la.gov</a> IN PROGRESS</p> <p><b>Archived House video.</b> . . . <a href="http://house.louisiana.gov">house.louisiana.gov</a> Video on Demand <b>Archived Senate video.</b> . . . . . <a href="http://senate.la.gov">senate.la.gov</a> Broadcast Archives</p>
<b>How can I obtain a compilation of acts?</b>	<p><b>Acts, State of Louisiana</b> Hardbound official copies of the acts can be obtained from the Secretary of State's Office. <b>Secretary of State.</b> . . . . . (225) 922-0309</p>
<b>How can I find the governor's veto messages?</b>	<p>The <b>Baton Rouge Advocate</b> is the official state journal. It prints full-text copies of acts in batches in act number order. They are available at the following: <a href="http://theadvocate.com/multimedia/actsoflegislature">http://theadvocate.com/multimedia/actsoflegislature</a></p>
<b>How can I find the governor's veto messages?</b>	<p>The Clerk's Office sends copies of veto messages to each member. They are also available on the Internet. The Governor's line item vetoes for HB 1 (general appropriations) and HB 2 (capital outlay) are included in the text copy of the enrolled bill on the Internet.</p> <p><b>La. Legislature Website</b> . . . . . <a href="http://legis.la.gov">legis.la.gov</a> <b>Clerk's Office.</b> . . . . . (225) 342-7259</p>

## Contact/Capitol Assistance Information

- How do I obtain a legislator's phone number, address, and district maps?
- How do I know which staff member to contact for a bill request?
- What tours of the Capitol are available?
- What disability services are provided by the legislature?

**How do I obtain a legislator's phone number, address, and district map?**

Each legislator has an individual website that lists contact information, committee membership and includes district maps.

**House** ..... [house.louisiana.gov](http://house.louisiana.gov) Representatives  
**Senate** ..... [senate.la.gov](http://senate.la.gov) Senators

**How do I know which staff member to contact for a bill requests?**

House Legislative Services maintains a phone list that directs users to the correct committee depending upon drafting and research areas. As issues become hot topics, they are added to list. Assistance can also be obtained from the HLS Executive Director.

**HLS Phone List.** ..... [house.louisiana.gov](http://house.louisiana.gov)  
House Staff : House Legislative Services : Phone List  
**HLS Executive Director..** ..... (225) 342-6125  
Citizens Guide : Virtual Capitol Tour

**What tours of the Capitol are available?**

**Visitor Information Desk.**..... (225) 342-7317  
**Virtual Capitol Tour.** ..... [house.louisiana.gov](http://house.louisiana.gov)  
Citizens Guide : Virtual Capitol Tour

**What disability services are provided by the Legislature?**

For a complete explanation of disability services, visit:  
**La. Legislature Website.** ..... [legis.la.gov](http://legis.la.gov) Disabilities Information  
**ADA Coordinator.** ..... (225) 342-0367

## Fiscal Information

- How do I find a copy of the general appropriations bill and capital outlay bill?
- What are the executive budget and the executive budget supporting documents and where can I find them?
- What is a "fiscal note" and where can I find one for a specific bill?

**How do I find a copy of the general appropriations bill and capital outlay bill?**

The **HLS Fiscal Division** website includes links to all key budget documents. The general appropriations bill will always be HB 1 and the capital outlay bill is always HB 2. HLS Administrative Services sends a copy of the General Appropriations bill to each member during session.

### **HLS Fiscal Division Website:**

..... [house.louisiana.gov/housefiscal](http://house.louisiana.gov/housefiscal) Budget Documents

**HLS Fiscal Division.** .... (225) 342-8568

**HLS Administrative Services.** .... (225) 342-6458

**What are the executive budget and the executive budget supporting documents and where can I find them?**

The Executive Budget is a summary document presenting the governor's recommended financial plan for the coming fiscal year. The Executive Budget Supporting Document provides more specific detail and performance recommendations for each program. For more information on the Executive Budget, see **The Legislator as Controller of the Purse Strings** beginning on page F-1.

Both documents are available at:

**La. Office of Planning & Budget Website.** . . . . . [doa.louisiana.gov](http://doa.louisiana.gov)

Office of Planning & Budget : Budget Documents

**What is a "fiscal note" and where can I find one for a specific bill?**

The fiscal note estimates the fiscal impact of a particular bill. The **Legislative Fiscal Office** prepares fiscal notes on most bills; however, the **Legislative Auditor** prepares fiscal notes on certain bills affecting local governments and boards and commissions. See **Fiscal Notes** on page E-12.

For questions on fiscal notes, contact:

**HLS Fiscal Division.** .... (225) 342-8568

Fiscal notes are available for each bill on the:

**La. Legislature Website.**..... [legis.la.gov](http://legis.la.gov)

(will be listed under "Notes" if applicable)

## State Government Information

- Where can I find a state agency or official's name, address, or telephone number?
- Where will I find state agencies' administrative rules and regulations?
- Where do I find attorney general opinions?
- Where can I find information on ethics, campaign finance, lobbyists and political action committees?
- Where can I find information on college scholarships and loans?

**Where can I find a state official's name, address, or telephone number?**

**Info. Louisiana** ..... [louisiana.gov](http://louisiana.gov)  
**Louisiana State Government Telephone Directory:**  
 ..... [doa.louisiana.gov](http://doa.louisiana.gov) State Phone Directory  
**Roster of Louisiana Officials.** ..... (225) 922-0309  
**Boards and Commissions Database**, maintained by the Senate:  
 Senate Home Page. .... [senate.la.gov](http://senate.la.gov) Systems/Services

**Where will I find state agencies' administrative rules and regulations?**

The administrative rules and regulations of state agencies are published in the **Louisiana Register** and the **Louisiana Administrative Code** by the Office of the State Register.

**Office of the State Register.** ..... (225) 342-5015  
**Website.** ..... [doa.louisiana.gov](http://doa.louisiana.gov) State Register

**Where do I find attorney general's opinions?**

Attorney General's opinions can be found at the Internet website:  
 ..... [ag.louisiana.gov](http://ag.louisiana.gov)  
**Paper copies** of individual opinions. .... (225) 326-6000

For research concerning opinions call the HLS Executive Director.  
**HLS Executive Director** (for research). .... (225) 342-6125

**Where can I find information on ethics, campaign finance, lobbyists, and political action committees?**

**House & Governmental Affairs Committee Staff.** (225) 342-2403  
**Louisiana Board of Ethics.** ..... (225) 763-8777  
**Ethics Board Website.** ..... [ethics.state.la.us](http://ethics.state.la.us)

**Where can I find information on college scholarships and loans?**

**Office of Student Financial Assistance**  
**Website.** ..... [osfa.state.la.us](http://osfa.state.la.us)  
**OSFA Phone.** ..... (800) 259-5626 or (225) 922-1012  
**Office of Financial Aid, Tulane University**  
 (Tulane Legislative Scholarship). .... [tulane.edu/financialaid/](http://tulane.edu/financialaid/)  
**Phone.** ..... (800) 335-3210 or (504) 865-5723



## Information Resources for Constituents

### PULS Line

#### Public Update Legislative Service (PULS) Line

PULS Line is a telephone service for constituents that provides information on legislation under consideration during session. It provides bill status information, assistance locating committee action, and explains aspects of the legislative process. PULS Line offers assistance with the use of the legislative websites.

Session Hours: 8:00 a.m. - 6:00 p.m., Monday through Thursday 8:00 a.m. - 5:00 p.m., Friday	Interim (not in legislative session) Hours: 9:00 a.m. - 11:00 a.m. and 2:00 p.m. - 4:00 p.m., Monday through Friday
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Baton Rouge area and outside Louisiana..... (225) 342-2456

Toll-free within the state..... (800) 256-3793

#### TTY Line

Baton Rouge area and outside Louisiana..... (225) 219-4688

Toll-free within the state..... (888) 850-6489

### Legislative Websites

The Louisiana legislative websites provide access to legislation, live and archived video, committee membership and meeting schedules, House and Senate rules, legislative procedure, and much more. From the joint legislative website, [legis.la.gov](http://legis.la.gov), the House and Senate websites can be easily accessed. The PULS Line (see above) offers assistance in navigating these websites.

### Switchboards

The House and Senate switchboards direct callers to legislators and legislative staff.

**House**..... (225) 342-6945

**Senate**..... (225) 342-2040

### HLS Administrative Services

House Legislative Services Administrative Services is responsible for all House publications.

**Administrative Services**..... (225) 342-6458

### Senate Document and Records Office

The Senate counterpart of HLS Administrative Services.

**Docket**..... (225) 342-2365

## Other Resources

### Law Library of Louisiana

Located in the Supreme Court building in New Orleans, the Law Library of Louisiana provides assistance with current Louisiana law and legislation from past sessions. It also maintains a collection of state government documents.

**Website**..... [lasc.org/law\\_library/library\\_information.asp](http://lasc.org/law_library/library_information.asp)  
**In-State**..... (800) 820-3038  
**New Orleans**..... (504) 310-2400

### Secretary of State, Publications Division

The Secretary of State is responsible for the publication of the **Acts of the Legislature** and the **Calendars** and **Journals** of the House and Senate. They are available for purchase through their Publications Division.

**Secretary of State, Publications Division**..... (225) 922-0309

### State Library

The State Library of Louisiana provides assistance with researching governmental topics and legislation from past sessions. They also maintain a collection of state government documents, including most of the titles listed under the **Publications** section beginning on page G-6. The library's catalog is available on its website.

**Website**..... [state.lib.la.us](http://state.lib.la.us)  
**Louisiana Section Reference Desk**..... (225) 342-4914  
**Reference and Bibliography Section**..... (225) 342-4913

### Parish/State Depository Libraries

State depository libraries are libraries which receive copies of state publications through the state documents program. They include selected parish and university libraries. Most of the titles listed under the **Publications** section, beginning on page G-6, are held by these libraries. Additionally, Internet access to legislative websites is available through all parish libraries. A link to a directory of parish libraries is located on the State Library Internet home page. The State Library can also provide assistance in locating a local and/or depository library.

**Website**..... [state.lib.la.us/libdir/](http://state.lib.la.us/libdir/)  
**State Library**..... (225) 342-4914  
**Recorder of Documents Office**..... (225) 342-4929

## GLOSSARY

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# GLOSSARY

## Legislative Terms: Definitions

This dictionary of legislative terms provides very brief explanations of the listed terms. Many of the terms are formal parliamentary usage. Others are informal terms, and even slang terms, in common usage in the Louisiana Legislature. The cited provisions of the constitution, laws, and rules, where applicable, may be consulted for additional information.

<b>8G Money</b>	Funds appropriated annually by the legislature to the State Board of Elementary and Secondary Education and the Board of Regents in equal amounts from the Louisiana Quality Education Support Fund, a constitutionally and statutorily established special fund in the state treasury. This funding is referred to as "8(g) money" due to a federal law reference to a settlement of disputed mineral production funds from the Outer Continental Shelf. (Const. Art. VII, §10.1 and R.S. 17:3801-3804)
<b>Abstract</b>	A concise overview of the contents of a bill appearing after the body of the bill and before the digest.
<b>Act</b>	A bill that has been finally passed by the House and Senate, enrolled, signed by the legislative presiding officers, signed by the governor (or allowed to become law without his signature), and assigned an act number by the secretary of state. Joint resolutions (proposed constitutional amendments) are processed as bills, except they are not signed by the governor or subject to the governor's veto.
<b>Actuarial Note</b>	An estimate of the actuarial effect of a bill or resolution that will affect a state, parochial, or municipal retirement system. (R.S. 24:513(D)(2) and 521, Joint Rule 4(G), and House Rules 7.16(C), 7.17, and 14.48)
<b>Adjournment</b>	Termination of business for a legislative day until a fixed hour on a succeeding day during a session. (Const. Art. III, §10(C) and House Rules 9.6, 9.7, and 9.14A)
<b>Adjournment Sine Die</b>	Final adjournment at the end of a legislative session. Sine Die (correctly pronounced "see-nay dee-ay"; in Louisiana, it is sometimes pronounced "sigh-knee die") is Latin for "without a day."
<b>Adopt</b>	To finally approve an amendment, motion, or resolution.

<b>Agenda, Committee</b>	A list of instruments or other matters to be considered or acted upon at an upcoming committee meeting. (House Rule 14.30) (Also see <b>Notice, Committee</b> )
<b>AG Opinion</b>	An Attorney General's (AG) Opinion is a formal, written analysis of a question of law prepared by the attorney general at the request of the legislature, head of an executive agency, or a state or local governing authority or official.
<b>Amendment</b>	<p>The modification of a bill or resolution by adding or deleting language or changing wording. (House Rules 8.12, 8.13, 11.1 through 11.6)</p> <p><b>Committee amendment</b> – Changes in a bill or resolution recommended to the full house by a majority of the quorum present of the committee to which the bill or resolution was referred. Must be adopted by the full house to become a part of a bill or resolution. (House Rules 6.11, 6.12, 14.6, and 14.7) (Also see <b>Substitute Bill</b>)</p> <p><b>Floor amendment</b> – Amendment offered by a member of the house to a bill or resolution under consideration, usually when a bill is being considered on the floor on third reading and final passage. (House Rules 7.17, 7.19, and 9.13, 11.1 through 11.6)</p>
<b>Amendment Room</b>	Small room adjacent to the House Desk where staff are available to draft floor amendments to legislation while the House is in session.
<b>Appropriation Bill</b>	<p>A bill to authorize payment of funds from the state treasury to a particular public entity; sometimes specifies a particular purpose. (Const. Art. III, §16 and Art. VII, §10(D), House Rules 6.6(C), 7.19, and 11.6)</p> <p><b>General Appropriation Bill</b> – Comprehensive bill to fund the ordinary expenses of the executive branch of state government. Appropriations are itemized to show the public entity to which the appropriation is made and the treasury fund from which it is made. The bill is organized in “schedules” applicable to particular departments and agencies or functions, with “items” within each schedule. (Const. Art. III, §16, House Rules 6.25, 7.3, 7.9(C) and (D), 7.19, 8.15, and 11.6)</p> <p><b>Appropriations for the legislative and judicial branches</b> are proposed in separate bills.</p> <p><b>Capital Outlay Bill</b> – Also an appropriation bill; it authorizes expenditures for the capital construction needs of the state. (Const.</p>

Art. VII, §6, House Rules 6.8(C) and 7.3)

<b>At Ease</b>	An informal intermission in the House proceedings declared by the Speaker, who may announce that "The House will stand at ease."
<b>Author</b>	The member sponsoring a particular piece of legislation. (Also see <b>Co-author</b> )
<b>BA-7</b>	(Budget Adjustment No. 7, as described in R.S. 39:73) A request for a budget adjustment or supplement, received from state agencies, reviewed by the Legislative Fiscal Office, and approved/rejected by the Joint Legislative Committee on the Budget.
<b>Bagneris Rule</b>	A Senate rules suspension to defer action on one or more bills. This shortcut motion is used exclusively by the Senate. This motion was originated by former Senator Dennis Bagneris.
<b>Bill</b>	<p>A legislative instrument proposed by a legislator(s) to change existing or enact new statutory law or to repeal existing law, or to propose changes or additions to the constitution (joint resolutions). Statutory law includes the Louisiana Revised Statutes, various codes, and uncodified acts. (Const. Art. III, §15)</p> <p><b>Prefiled bill</b> – Original bill that is filed by a legislator with the chief clerical officer of the respective house prior to a legislative session. Such a bill receives a bill number, is printed, and may be assigned to and heard by a standing committee prior to a session. On the opening day of the session, it will be formally introduced. (Const. Art. III, §2 and House Rules 6.11, 7.2, 14.16, 14.19, and 14.24)</p> <p><b>Original bill</b> – The bill as introduced into the legislature that is used in the legislative process until it is engrossed. (House Rules 7.2 and 7.6)</p> <p><b>Engrossed bill</b> – Original bill prepared with amendments adopted upon initial consideration by the house of origin incorporated into its text. Usually, this is a bill which incorporates committee amendments to the original bill adopted during the second reading in the originating house. (Rarely, a bill is amended on the floor at second reading; and the engrossed bill, including these amendments, is referred to committee.) The engrossed bill is ordinarily the version used on the House floor for debate on third reading and final passage. (House Rules 7.8, 7.9, 8.16, and 8.17)</p> <p><b>Reengrossed bill</b> – Refers to a bill to which has incorporated in it</p>

additional amendments adopted in the house of origin after its engrossment. Usually these are floor amendments adopted in the house of origin when the bill is considered on third reading and final passage, but could also refer to committee amendments from a second committee adopted in the house of origin. (House Rules 7.8, 7.9, and 7.10)

**Substitute bill** – (See **Substitute Bill**)

**Enrolled bill** – A bill in its final form, including all amendments agreed upon by both houses, to be submitted (joint resolutions excepted) to the governor for approval or veto. (House Rules 7.12, 7.14, and 7.15)

<b>Bill Number</b>	Number given to each bill by the House Clerk or Senate Secretary's Office when it is first introduced or prefiled for a session. These bills receive the same number for each session: the General Appropriation Bill is House Bill No. 1, Capital Outlay Bill is House Bill No. 2, and Omnibus Bond Bill is House Bill No. 3. (House Rule 7.3)
<b>Bill Room</b>	A central location during session which provides copies of bills and legislative documents. The Bill Room is located on the Ground Floor on the Senate side of the Capitol.
<b>Bill Status</b>	The current stage of a legislative instrument in its progression from its introduction to passage.
<b>Boilerplate</b>	Standard bill-drafting language used in the Louisiana Legislature and designed to maintain legal consistency and uniformity.
<b>Bruneau Box</b>	Also referred to as "cost box". A printed statement, bordered by a box, on a public document printed by a state agency that includes the name and address of the agency that published it, at what cost, how many copies, and for whom. This legislation was originated by former Rep. Emile "Peppi" Bruneau. (R.S. 43:31)
<b>Budget Stabilization Fund</b>	Commonly known as "the rainy day fund," which is established as a special fund within the state treasury to be available for use in the state budget in the event of certain unexpected shortfalls in revenue. Limited to amounts necessary to cover a projected deficit or drop in revenues, also limited to certain amounts of the fund balance, and requires a two-thirds vote of the legislature to appropriate from the fund. (Const. Art. VII, §10.3 and R.S. 39: 94 and 95)

**Bust the Cap**

The legislature by a 2/3 vote may agree to increase the annual expenditure limit ("the cap") of state general funds and dedicated funds as provided for in the Constitution. An AG opinion stated that the legislature may entertain changing the expenditure limit in any fiscal year. (La. Atty. Gen. Op. # 07-0124) (Const. Art. VII, §10)

**CSG**

The Council of State Governments. A multibranch organization forecasting policy trends for the community of states, commonwealths, and territories on a national and regional basis. Serves the executive, judicial, and legislative branches of state government through leadership education, research, and information services.

**Calendar**

(1) The daily listing in the Order of the Day, in order of precedence, of resolutions, bills, and other documents on which action may be taken. (Also see **Order of the Day**)

**Debate calendar** – The list of legislative instruments to be considered on third reading and final passage on a particular day.

**Subject to call** – An instrument may be returned to the calendar upon approval of a majority of the members present and voting. Instruments so returned are listed in numerical order and may be called from the calendar for further action or consideration at a later time when the House is in that same order of business. Only the author or the member handling a Senate instrument or a member authorized by such member may move to call an instrument from the calendar. However, members must give at least a day's notice that they intend to call a bill from this calendar; and such bills are listed on the Order of the Day in the order the Clerk received the member's notice under the heading "Notice Given Subject to Call". (House Rule 8.20) (Also see **Order of the Day**)

**Involuntary calendar** – A Senate procedure when a legislative instrument is returned to calendar, subject to call, upon the order of the majority of members present and voting. After such action, the instrument may be called from the calendar only upon a favorable vote of a majority of members present and voting.

(2) The **Legislative Calendar** is the final published compilation of the action on each instrument during a legislative session. It lists all instruments in numerical order by house with a chronological notation of all action taken by each house. It includes an author, subject, and journal information index. Interim Calendars are prepared periodically during the interim. (House Rules 12.6 and 12.7)

(3) The **Interim Calendar** is a compilation of the action taken on each legislative instrument prior to the convening of the legislative session. (House Rule 12.7)

<b>Calendar Day</b>	Any day from convening to adjournment of a legislative session whether or not either house meets.
<b>Call</b>	The proclamation by which the governor or the legislature convenes the legislature into extraordinary session. The subject scope of the session is determined in this written document. (Const. Art. III, §2(B))
<b>Call the Bill or Amendment</b>	The announcement by the House Clerk or Senate Secretary of the item about to be debated on the floor.
<b>Caucus</b>	A group of legislators, most often organized on the basis of party affiliation, common interest, or regional representation. Also, a meeting of such a group. Some groups refer to themselves as “delegation” rather than caucus.
<b>Chamber</b>	(1) The rooms where the House and Senate meet. (2) The House or Senate itself. (For House chamber see House Rules 1.1 and 1.2)
<b>Claim Against the State</b>	A financial judgment rendered by a court to pay a claim made by a citizen upon the state; requires appropriation in order to pay it. (Const. Art. XII, §10)
<b>Clerk</b>	The clerical officer of the House of Representatives, elected by the members. (Const. Art. III, §7 and House Rules 2.9 and 2.10)
<b>Closing</b>	Refers to ending the debate on a bill, which only the author of a House Bill or the handler of a Senate Bill has the right to do. Closing is limited to 15 minutes. (House Rule 5.7)
<b>Coauthor</b>	Legislator who adds his/her name to the list of authors on another legislator's bill, resolution, or amendment. (Joint Rule 12)
<b>Commendation</b>	Resolution of either or both houses expressing legislative tribute. Also may be an interim commendation by an individual House member.
<b>Committee</b>	A group of legislators of one or both houses which considers legislation, conducts studies, and/or makes recommendations to the Senate and/or House.

**Committee of the whole (COW)** – The entire membership of the House, acting in the capacity of a committee to consider the General Appropriation Bill or other matters. A member other than the Speaker serves as the chairman. (House Rules 6.18 through 6.25)

**Conference committee** – A committee, composed of three members from each house, the purpose of which is to propose to the two houses a means to resolve differences in a bill when the house of origin refuses to concur in amendments adopted by the opposite house. (House Rules 6.14, 7.11, and 8.21)

**Interim committee** – A special committee created to make a study or investigation during the interim between sessions of the legislature. (Joint Rule No. 13 and House Rules 6.8(B), 14.16, and 14.17)

**Joint committee** – A committee composed of members of both houses. May be composed of standing committee members from each house (or certain members thereof) or may be a special joint committee with members selected without regard to standing committee membership. Used during the interim. (House Rules 14.16, 14.17, and 14.49 and Joint Rules Nos. 8 and 13)

**Select committee** – A committee established by the presiding officer of a house composed of members of that house for a designated purpose.

**Special committee** – A committee of one or both houses appointed for a limited purpose and discharged upon completion of this function.

**Standing committee** – A permanent committee of the House or Senate with subject matter jurisdiction defined by rules of its house. Functions both during and between legislative sessions to conduct public hearings on proposed legislation, review proposed administrative rules, make its own studies of problems, make reports and recommendations to the house it serves, etc. (House Rules 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, and Chapter 14. Also Joint Rules Nos. 13 and 16)

**Committee Report**

A written list of the legislative instruments on which a standing committee took action and the committee's recommendation on each, including any proposed amendments. Includes certain other procedural information. May also refer to the annual report of a standing committee's activities and studies during the interim. (House Rules 6.11 and 14.45)

<b>Committee Staff</b>	The staff assigned to assist a standing committee chair and members. This usually consists of the committee secretary, a legislative analyst, and/or an attorney.
<b>Concur</b>	Action by the house of origin on a legislative instrument to agree to amendments to the instrument adopted by the opposite house.
<b>Condolence</b>	A resolution which tenders condolences upon the death of a person.
<b>Conferees</b>	Members of a conference committee appointed by the House Speaker or Senate President.
<b>Conference Committee Report</b>	The recommendations of a conference committee to resolve the differences between the two houses when the house of origin does not concur in amendments adopted in the second house. (House Rules 6.14, 7.11, and 8.27)
<b>Conflict of Interest</b>	A situation in which any interest (financial or otherwise), any business or professional activity, or any general activity may prevent the fair execution of one's obligation of official duties. (Also see <b>Recuse</b> )
<b>Constituent</b>	A citizen residing within a legislator's district.
<b>Constitution</b>	The written instrument stating the fundamental principles of a state government. Unlike the federal constitution, a state constitution's provisions are not grants of power, but, instead, are limitations on the otherwise plenary power of the people of a state, exercised through its legislature.
<b>Constitutional Amendment</b>	(See <b>Joint Resolution</b> under <b>Resolution</b> )
<b>Convene</b>	The assembling of a legislative body. Usually refers to the initial convening of a legislative session.
<b>Co-Sponsor</b>	(See <b>Coauthor</b> )
<b>Custom, Usage, and Practice</b>	Legislative procedures that, while not formally adopted or codified, have been sanctioned by general usage and have grown into general acceptance. They are a source for parliamentary procedure in the House when the House Rules are silent or inexplicit. (House Rule 13.3)
<b>Cutoff Date</b>	Time certain set by a legislative body for specified action, such as bill introduction, committee action, or passage of bills by either house.

<b>Dead</b>	This means a bill is defeated or otherwise removed from consideration for the rest of a session.
<b>Deferred</b>	A legislative instrument scheduled for hearing by a committee may be <b>voluntarily deferred</b> upon the request of the author. An instrument voluntarily deferred without objection may be rescheduled for committee hearing. A legislative instrument is <b>involuntarily deferred</b> when so ordered by a vote of a majority of the committee members present and voting, notwithstanding the request of the author. An involuntarily deferred instrument may be rescheduled for a committee hearing (after opportunity for hearing all other House instruments requested to be heard) only by motion adopted by the vote of two-thirds of the committee members present and voting. (House Rules 6.9 and 6.10)
<b>Desk, The or House Desk</b>	Raised area at the front of the House Chamber where the Clerk carries out administrative functions, including the receipt of bills and proposed floor amendments. The presiding officer presides from a raised desk behind the House Desk. (House Rule 1.2, Diagram)
<b>Digest</b>	A summary of the substance of a legislative instrument that appears at the end of the text of the instrument. It explains changes in the law proposed by a bill. <b>Redigests</b> also include a summary of amendments adopted. Digests of legislation as finally passed comprise the <b>Résumé</b> , which is the publication describing all legislation passed by the legislature in a given session. (House Rules 7.9(B) and 7.11 and Joint Rule No. 6)
<b>Docket</b>	(1) A list of all legislative instruments pending before a committee or the full body of the legislature. (2) A central location for filing of official legislative instruments and publications. The House and Senate maintain separate Docket locations.
<b>Draft</b>	(1)(v.) To write a bill, resolution, or amendment. (2)(n.) An unfiled, written version of a bill, resolution, or amendment.
<b>Effective Date</b>	Date upon which enacted bills and constitutional amendments take effect.  <b>Acts from an annual regular session</b> – Unless the act itself states otherwise, all acts become effective on August 1 after the regular legislative session during which they are enacted. (Const. Art. III, §19)  <b>Acts from an extraordinary session</b> – Unless the act itself states

otherwise, all acts become effective on the 60th day after final adjournment of the extraordinary session in which they were enacted.

**Constitutional amendments** – Unless the amendment provides otherwise, constitutional amendments approved by the voters become effective 20 days after issuance of the governor’s proclamation that they have been adopted. (Const. Art. XIII, §1(C))

<b>Enabling Legislation</b>	A bill designed specifically to implement a proposed or adopted constitutional amendment.
<b>Enacting Clause</b>	The language “Be it enacted by the Legislature of Louisiana”, which is established by the constitution as the style of law enacted by the legislature. Without this clause a bill is unconstitutional. (Const. Art. III, §14)
<b>End Consideration of Amendments</b>	A motion that, when adopted, prevents the House from adopting any other amendments on the instrument pending, except the amendment under consideration at the time, an amendment to change coauthors, or technical amendments. (House Rule 9.13) (Also see <b>Previous Question</b> )
<b>Executive Order</b>	A written document issued by the governor to accomplish a purpose over which he has authority, such as establishment of executive branch policies, the declaration of certain holidays, establishment of a study or other commission or committee, or other directive within his power as chief executive. (R.S. 49:215)
<b>Executive Session</b>	A closed meeting of a legislative committee to discuss certain matters or appointments as provided by law or rule. Generally open only to members and specified staff. (Const. Art. XII, §3, R.S. 42:18, and House Rule 14.11)
<b>File a Bill</b>	To formally introduce a bill during a session by delivering a copy to the House Clerk (House Bills) or Senate Secretary (Senate Bills). (Also see <b>Profile</b> )
<b>Final Action</b>	The ultimate action of the legislature on a bill or resolution, such as final passage, failure to pass, indefinite postponement, tabling, or concurrence.
<b>Fiscal Note</b>	An estimate of the fiscal effect of a bill, joint resolution, simple or concurrent resolution which will affect the receipt, expenditure, or allocation of \$100,000 or greater of state funds or funds of any political

subdivision of the state or that will authorize the issuance of general obligation bonds or other general obligations of the state for capital outlay purposes. (House Rule 7.16 and Joint Rule No. 4)

**Fiscal Year** The 12-month period for which appropriations, budgets, and financial reports are made. The state's fiscal year commences on July 1 and ends the following June 30. (R.S. 39:53)

**Floor** The area of the House or Senate Chamber designated by rule for use of members and staff. Access to the floor area of the House and Senate chambers is limited by rule when the body is in session. (For House Chamber, see House Rule 1.2)

Also referred to in legislative procedure: A bill "on the floor" means it is under consideration on final passage. A member recognized to speak on debate is said to "have the floor".

**Floor Leader(s)** Legislator(s) designated by the governor to handle his/her legislative package.

**Fourth Floor** Refers to the Governor's Office.

**Gallery** Balconies above the House and Senate chambers from which visitors may view proceedings. (For House Chamber, see House Rule 1.2)

**General Bill** (1) A bill applying statewide. (2) A bill proposing a law separate from a codified body of Louisiana law (i.e. Civil Code, Code of Civil Procedure, Code of Criminal Procedure, Children's Code, Code of Evidence, and Revised Statutes). (Also see **Local bill, Local and Special Laws**)

**General Fund** The treasury fund into which the majority of state revenues flow and from which are appropriated the funds for the expenditures of the three branches of government. It does not include federal monies, certain self-generated revenues, and certain transfers among state agencies or by the state to local governments. Also referred to as the "State General Fund." (Const. Art. VII, §§ 9 and 10(J))

**Germaneness** The relevance of amendments or a substitute bill to an original bill. The constitution and rules require that amendments and substitute bills be germane to the original bill. (Const. Art. III, §15(C) and House Rules 6.12(B) and 11.1)

**Governor's Package** Bills introduced by legislators at the request of the governor.

<b>Grandfather Clause</b>	A provision in a bill that exempts certain persons previously involved or preexisting conditions from the bill's effects.
<b>Gut</b>	Amending a bill to remove key provisions such that the bill's effect is drastically weakened.
<b>Hearing</b>	A committee meeting to discuss matters and receive public comment.
<b>Hitchhiker</b>	Amendment to a bill that is not related to the bill author's intent as introduced. The amendment can add new matter or delete the contents of a bill and insert new provisions. (Also see <b>Germaneness</b> )
<b>Hopper, Drop it in the</b>	Submit a bill or resolution to the Clerk for formal introduction. "Hopper" is a traditional term for a box in which a bill to be considered by a legislative body is placed or "dropped". In practice today, there is no such box.
<b>House of Origin</b>	The chamber of the legislature where a bill is introduced and which debates and votes on the bill first.
<b>Interim</b>	The interval between annual regular sessions.
<b>Introduce</b>	To formally present a proposal for consideration in the Legislature.
<b>Joint Session</b>	Formal meeting of the members of both houses together. Held in the House chamber. (Joint Rule No. 1)
<b>Journal</b>	A record of daily proceedings of each house: the <b>House Journal, Senate Journal</b> . Also refers to the final compilation of journals which is published at the end of each session as a set (which also includes the <b>Legislative Calendar</b> ). (Const. Art. III, §10(B), House Rules 6.22 and 12.1 through 12.5)
<b>Keyword</b>	General subject of bill or resolution that appears above the heading ("An Act", "A Joint Resolution", etc.) Not part of proposed law.
<b>Lay Over, Laid Over, or Lying Over</b>	Used to describe a motion on which action has been delayed from one day to the next or a legislative instrument advancing from one day's reading to the next. (House Rules 8.8 through 8.12, 8.21, and 8.22)
<b>Legislative Bureau</b>	A group composed of two members of the legislature, one selected by each house, and ex officio, the clerk of the House, the secretary of the Senate, and the executive director of the Legislative Council (commonly

referred to as the Legislative Bureau). Bills, joint resolutions, and suspension resolutions are referred to the bureau prior to advancement to third reading in the second house. The bureau makes an advisory report on the construction of the instrument and any duplication and may suggest amendments. The bureau also must examine each instrument upon its engrossment and passage to third reading in the house of origin and make recommendations for floor amendments. (Joint Rule No. 3 and House Rule 8.19)

<b>Legislative Day</b>	A calendar day on which either house of the legislature is in session. (Const. Art. III, §2(A)(1))
<b>Legislative History</b>	Refers to the collection of documents and other indicia that are created during the legislative process and used by the legal community as an aid in the interpretation of law when its meaning cannot be ascertained by the actual text of the law. The degree to which this information is admissible in court depends upon its authenticity and relevancy to the legal proceeding.
<b>Legislative Instrument</b>	One of the following: a bill; a concurrent resolution; a resolution. (Bill includes a joint resolution.) (House Rule 7.1)
<b>Legislative Research Library</b>	The David R. Poynter reference library and staff, which is available to legislative staff and legislators. The library contains court opinions, reports, state/federal statutes, agency rules and regulations, serials, and legislative documents. (R.S. 24:761)
<b>Lobbyist</b>	Person representing various interest groups and others to influence the passage or defeat of legislation. House employees are prohibited from lobbying. (R.S. 24:50 through 58.1, House Rule 3.4)
<b>Local Bill</b>	A bill that applies to an area or group that is less than the total area or population of the state. (Also see <b>Local and Special Laws</b> )
<b>Local and Special Laws</b>	A law affecting only one or more particular local areas, such as one or more particular parishes or municipalities (local law). A law that, because of its restrictions, can operate upon or affect only a portion of citizens or a fraction of property embraced within a classification (special law). (Const. Art. III, §§2, 12, and 13) (Also see <b>Official Journal</b> )
<b>Local Notice</b>	Published notice of intention to introduce a bill which will apply only to a designated area of the state, such as a single parish or municipality. Must be published in the official journal of the locality where the matter

to be affected is situated. (Const. Art. III, §13)

<b>Lockout</b>	The temporary disabling of the voting machine of any member who does not answer a quorum call before a record vote. (House Rule 4.5) (Also see <b>Quorum Call</b> )
<b>"Machine is Open – Vote Your Machine"</b>	The announcement by the presiding officer that the voting machine is open and that a member should record his position on a matter before the House by pushing the "yes" or "no" button to vote.
<b>Majority</b>	<p>A number of votes greater than half of a total. Final passage of a bill generally requires approval of a majority of the elected members (total number of seats including vacancies), with certain exceptions requiring a greater number. (Const. Art. III, §15(G))</p> <p><b>Simple majority</b> – Often used to indicate that the vote required is a majority of the members present and voting. (House Rule 9.14(A))</p> <p><b>Super majority</b> – A required number of votes larger than a majority of the elected members. (See, principally, Const. Art. III, §18; Art. VII, §§2, 2.1, and 10.3; and Art. XIII, §1)</p>
<b>Mandate, Legislative</b>	Anything the legislature requires. Usually used to mean a legislative requirement of local government to establish, expand, or modify a practice which, in turn, necessitates the expenditure of money.
<b>Mason's</b>	Refers to Mason's Manual of Legislative Procedure, which is a book of parliamentary procedure that, together with the rules of each chamber, the Constitution, laws, and custom, governs the manner in which the legislature transacts business. (House Rule 13.3)
<b>Moot</b>	A term indicating that a motion is not timely because it can no longer affect an action or event.
<b>Memorial</b>	A simple or concurrent resolution which expresses views of one or both houses and requests a course of action be taken by officials or departments (as in "To memorialize the United States Congress to [take such action...]").
<b>Motion to Reconsider</b>	A motion which, if successful, returns the question to its status before adoption of the motion to reconsider. (House Rules 8.22, 9.2, 9.11, 9.14, and 11.5)
<b>NCSL</b>	National Conference of State Legislatures. A membership organization of all state legislators and staff in the U.S. for the purpose of research

and information on public policy and administrative issues.

<b>Necessary for Passage</b>	The number of "yes" votes needed to pass a particular measure. May differ depending on the nature of the measure. Most bills require 53 votes in the House; proposed constitutional amendments, taxes, fees, and certain others require 70 votes. (Also see <b>Majority</b> )
<b>Non-Partisan Staff</b>	Legislative employees not assigned to work solely for a caucus who provide objective, impartial, and professional services to the members of the legislature.
<b>Notice, Committee</b>	In session, a written announcement of the date, time, place, and matters to be considered of a legislative committee meeting. The notice must be posted publicly a day in advance. In the interim, a written announcement of the date, time, place, and matters to be considered of a legislative committee or subcommittee meeting. The notice must be transmitted to committee members seven days in advance and be publicly available. (House Rule 14.24)
<b>Official Journal</b>	The newspaper of general circulation in which official notices and announcements of the state or units of local government are published. The official journal of the state is <i>The Advocate</i> (Baton Rouge). Notices of intent to introduce retirement bills are published in the official state journal. Notices of intent to introduce local bills are published in the local official journals. (Const. Art. III, §§13 and 19 and Art. X, §29(C) and R.S. 43:81 et seq. and 141 et seq.)
<b>One-liner</b>	A phrase or sentence that describes a bill or resolution. It appears on the bill or resolution after the keyword and before the heading ("An Act", "A Joint Resolution", etc.). It is not part of the proposed law. (Also see <b>Keyword</b> )
<b>Order of the Day</b>	(1) The order of business followed in each house of the legislature in transacting its daily business. (House Rules 8.1, 8.2, 8.6, and 8.20) (2) A legislative document prepared daily in each house of the legislature by the office of the House Clerk, reflecting expected or proposed action on legislative instruments, organized by the order of business in which action may occur. (House Rule 2.10(A)(12)) (Also see <b>Calendar</b> )
<b>Oversight</b>	Legislative review of executive branch implementation of laws and programs and of proposed administrative rules.
<b>PAR Book</b>	The legislative directory published annually by the Public Affairs Research (PAR) Council of Louisiana, Inc.

<b>Per Diem</b>	Latin for "for the day". An allowance made to legislators for legislative work as part of their taxable income and payable based on calendar days. (R.S. 24:31 and House Rule 4.7)
<b>Point of Information</b>	The parliamentary device used to request information from the presiding officer regarding the procedure or the business before the House. Also known as a parliamentary inquiry. (House Rule 5.6)
<b>Point of Order</b>	The parliamentary device used to require a deliberative body to observe its own rules and to follow established parliamentary practice. A member may raise a point of order, asking for a ruling of the chair (presiding officer) as to the correct procedure. If the member disagrees with the chair's ruling, he or she may appeal the ruling of the chair to a vote of the entire house. Also utilized in committees. (House Rules 5.6, 9.12, and 9.14)
<b>Point of Personal Privilege</b>	The parliamentary device by which members gain the floor to comment on matters affecting their rights, reputation, or conduct in their representative capacity or on other personal matters. (Members must confine themselves to decorous language (House Rule 5.1).
<b>Profile</b>	To formally file a legislative instrument for introduction by providing a copy to the House Clerk (House Bills) or Senate Secretary (Senate Bills) before the start of a legislative session. (Const. Art. III, §2 (A)(2 and Art. XIII, §1(A); and House Rules 7.2 and 7.6) (Also see <b>File a Bill</b> )
<b>President</b>	The presiding officer of the Senate, elected by the members. (Const. Art. III, §7(C))
<b>Previous Question</b>	A motion that, if successful, closes debate and brings the House to a vote on the question under consideration. A motion in the form of <b>previous question on the entire subject matter</b> , if successful, ends debate on the main question and requires immediate voting on any subsidiary motion or amendments and then on the main question. (House Rules 9.10 and 9.14(A)) (Also see <b>End Consideration of Amendments</b> )
<b>Public Hearing</b>	Meetings held by committees at which members of the public, lobbyists, legislators, and state agency representatives address issues on the committee agenda. (Const. Art. III, §15(D) and House Rules 6.9, 6.10, and 14.32)
<b>Public Records Law</b>	The provisions of law providing that government records may be inspected and copied at reasonable times, under reasonable conditions,

and under the supervision of the person who has custody of the records. (R.S. 44: 1 et seq.)

<b>Quorum</b>	The number of members required to conduct business. (Const. Art. III, §10(A), House Rules 4.3, 4.4, 6.3(C)(3), 14.17, and 14.36 through 14.40, and Joint Rule 8)
<b>Quorum Call</b>	Opening of the voting machine for a roll call to determine whether or not a quorum is present. (House Rule 4.5)
<b>Rainy Day Fund</b>	(See <b>Budget Stabilization Fund</b> )
<b>Reading of a Bill</b>	Constitution requires that each bill must be read at least by title on three separate days in each house. (Const. Art. III, §15(D) and House Rules 8.9 through 8.14 and 8.16 through 8.18) (Also see <b>Third Reading</b> )
<b>Recess</b>	An interruption or intermission during the course of floor (or committee) proceedings. (House Rules 9.7 and 9.14(A)(26))
<b>Recommittal</b>	The assignment of legislation to either a committee that has already considered it or to another committee. House Rules require that certain instruments be recommitted to other committees after being reported by the committee to which initially referred. (House Rules 6.8, 6.11, and 8.18)
<b>Reconsideration</b>	Permitting a vote to be considered and taken a second time. The initial vote on any question may be reconsidered whether the question carried in the affirmative or negative, but the motion to reconsider must be made by a member who voted on the side that prevailed. (House Rules 8.22, 9.2, 9.11, 9.14(A)(16) and (17), and 11.5) (Also see <b>Veto</b> )
<b>Recuse</b>	To withdraw from voting so as to avoid any semblance of partiality relating to a question in which a member believes he or she has a conflict of interest. (House Rules 10.1, 14.9, and 14.40)
<b>Redistricting or Reapportionment</b>	Realignment of boundaries of legislative, congressional, and other government districts to reflect proper population representation. Generally done after each 10-year federal census. (Const. Art. III, §6)
<b>Refer</b>	To send any item of legislative business to a committee. (House Rules 6.5, 6.6, 7.2, and 14.16(B))
<b>Referral</b>	An assignment of legislation to a specific standing committee for consideration and report to the House. (House Rules 6.5 and 7.2)

<b>Regular Order</b>	The fixed schedule of consideration of legislative instruments during the course of a legislative day that has been established by the House Rules. (House Rules 8.2 and 8.8) (Also see <b>Special Order</b> )
<b>Repeal</b>	To delete and nullify a previously established law.
<b>Resolution</b>	A legislative instrument that generally is used for making declarations, stating policies, and making decisions where some other form of legislation is not required. Not subject to governor's veto. (Const. Art. III, §17 and House Rules 6.8, 7.2, 7.4, 8.11, and 13.1)
	<b>Concurrent Resolution</b> – Resolution to be considered by both houses that can be used to express legislative intent, adopt or change joint rules of the legislature, memorialize congress, and request or direct a state agency to take a specified action. Can also be used to suspend a law. (House Rules 7.4, 7.10, and 8.11) (Also see <b>Suspension of Law</b> )
	<b>Joint Resolution</b> – A proposal to change (amend) or repeal existing provisions of or to add new provisions to the constitution. It is designated a House or a Senate bill, with a bill number, and requires passage by a 2/3 majority of each house to be placed on the election ballot. If finally passed by the Legislature, it is given an act number as well. The favorable vote of a majority of all state electors voting on it is required for it to become effective (and a majority of those voting in the local area if it is local in nature). (Const. Arts. III, §15(A) and XIII, §1)
	<b>Simple Resolution</b> – Resolution passed by only one house that expresses an opinion or intent, but does not have the force of law. It may also be used to change the rules of a house. It takes effect upon adoption. (House Rules 7.4, 8.11, and 13.1)
<b>Résumé</b>	Digest or summary prepared by staff of all legislative instruments finally passed – includes acts, vetoed bills, and adopted resolutions and study requests. The digest distinguishes how the new law changes the old. Also refers to the publication that includes all such résumés and statistical information for the session.
<b>Revised Statutes</b>	The Louisiana Revised Statutes of 1950 is the entire codified body of effective general law aside from the Constitution, Civil Code, Code of Civil Procedure, Code of Criminal Procedure, Code of Evidence, and Children’s Code. New law is incorporated into the revised statutes by amending, repealing, or enacting provisions.

<b>"Roll Call – Vote Only Your Machines"</b>	The announcement by the presiding officer that legislators should push the "yes" button on their machines to establish attendance. This is also done to establish the existence of a quorum. No one but the legislator is allowed to vote his/her machine. (House Rules 4.5, 10.3, and 10.7)
<b>Rookie-Do</b>	To hoodwink or cheat someone, often by failing to live up to a bargain.
<b>Rotunda</b>	Memorial Hall, the vaulted entrance hall located between the lobbies of the House Chamber and the Senate Chamber on the first floor of the Capitol, embellished with marble walls, murals, statues, flags, and a large bronze relief map of Louisiana.
<b>Ruling of Chair</b>	(See <b>Point of Order</b> )
<b>Safe Day</b>	The day on or before which certain bills must be received by HLS in order to ensure timely submission to the appropriate official journal regardless of the publication dates or deadlines of that journal. Includes "Retirement Bill Safe Day", "Security Bill Safe Day", and "Local Bill Safe Day".
<b>SLC</b>	Southern Legislative Conference. A regional legislative group operating under The Council of State Governments that fosters and encourages intergovernmental cooperation. Provides services primarily to the legislative members and staff of its 16-state region.
<b>Sergeant at Arms</b>	Appointed officer of the House of Representatives whose job it is to maintain order in the House Chamber and committee rooms. (House Rules 2.11 and 2.12)
<b>Session</b>	The period during which the legislature assembles and carries on its business. (Const. Art. III, §§2 and 18)  <b>Regular session</b> – The legislature meets annually in regular session. In even-numbered years, a regular session is restricted to not more than 60 legislative days within a period of 85 calendar days; in odd-numbered years, it is restricted to not more than 45 legislative days within 60 days. The subject matter of regular sessions in odd-numbered years is limited to specified fiscal matters; however, a member may introduce any bill intended to enact a local or special law or may prefile a maximum of five bills not within the subject matter restrictions.  <b>Extraordinary session</b> – Such a session is limited to not more than 30 days. There is no restriction on the number of extraordinary sessions

that can be held in one year. The governor may call the session; the presiding officers must call an extraordinary session if a majority of each house petition for an extraordinary session. The call defines the subject scope. Also called a "special session."

**Organizational session** – Session held on the day legislators take office for the primary purpose of judging the members' qualifications and elections, taking the oath of office, organizing the two houses, and selecting officers. An organizational session cannot exceed three legislative days.

**Veto session** – Session required by the constitution to be held on the 40th day following final adjournment of the most recent session to consider all bills vetoed by the governor. Not held if a majority of either house declare it unnecessary in writing.

<b>Speaker</b>	The presiding officer of the House of Representatives, elected by the members. (Const. Art. III, § 7(C) and House Rules 2.3, 2.4, and 2.5)
<b>Speaker Pro Tempore</b>	The officer of the House of Representative whose job it is, in the absence of the Speaker, to preside over the Chamber and, in the event of the disability or absence of the Speaker, to assume the powers, duties, and responsibilities of the Speaker. This office is elected by the members. (House Rules 2.7 and 2.8)
<b>Special Order</b>	The order of business in which bills or resolutions to be considered at a specifically fixed time rather than their regular order are placed. Used for controversial or time-consuming bills. A bill is placed on special order by the favorable vote of a majority of those present and voting, provided the standing committee which reported the bill recommends such placement. (House Rules 8.4 through 8.6)
<b>Sponsor</b>	The originator of a legislative bill or resolution. (Also see <b>Author</b> )
<b>State General Fund</b>	(See <b>General Fund</b> )
<b>Study Request</b>	A written instrument which requests a standing committee or committees to conduct a study of an issue or item during the interim between legislative sessions. A study request does not go through the traditional approval process of legislative instruments, but rather is adopted if, after a specific period of time, there is insufficient objection made to the proposed study request. (Joint Rule No. 13)

**Concurrent** – A request for a study by a standing committee of each house of the legislature.

**Simple** – A request for a study by a standing committee of one house of the legislature.

**Subject to Call Calendar**

(See **Calendar**)

**Subject Matter Restrictions**

Matters that can be considered at even-year regular sessions (general matters excluding certain tax matters) and odd-year regular sessions (specified fiscal and limited other matters), respectively. (Const. Art. III, §2 (A)(3) and (4); and Joint No. Rule 20) (Also see **Session, Regular Session**)

**Substantive**

Term applied to an amendment that alters the substance of a bill rather than one that makes technical changes.

**Substitute Bill**

A new bill recommended by a committee to replace a bill referred to it. The committee reports the bill "by substitute" when it recommends that the bill be substantially rewritten. Resolutions may also be reported by substitute. (House Rule 6.12)

**Summary of Senate Amendments**

A document prepared by staff that summarizes substantive Senate amendments. It also includes a digest of the changes proposed by Senate amendments to a House bill returned to the House for concurrence in amendments.

**Sunset**

(1) A program for legislative review of state agencies, programs, and statutes. A date is set for automatic repeal (sunset) of the law creating the agency or program unless specifically renewed by the Legislature. (R.S. 49:190 et seq.) (2) Also used to indicate a termination date for an act or a single provision of law.

**Sunshine Bill**

Legislation that deals with open meetings and public record laws.

**Suspension of Law**

The legislature may suspend a law for a restricted period of time by adoption of a concurrent resolution, and, as such, the resolution has the effect of law. It is not subject to the governor's veto. (Const. Art. III, §20 and House Rule 8.11)

**Suspension of Rules**

Also referred to as "rule suspension". A motion to temporarily negate the application of a provision of the Rules of Order of the House to the proceedings. Often adopted without objection. If

objected to, requires favorable vote of two-thirds of the members present and voting to pass. (House Rule 13.2)

<b>Tabled</b>	A bill is tabled (and usually dead) upon adoption of a motion by majority vote to “lay on the table.” As a parliamentary maneuver, it is an alternate way to kill a bill. Used only for House bills. Equivalent motion on a Senate Bill is “to indefinitely postpone”. Motions can also be tabled (such as the motion to reconsider the final passage of a bill). It takes a 2/3 vote of those present to call a bill (or motion) from the table. (House Rules 9.5, 9.8, 9.9, and 9.14(A)(5) and (12))
<b>Task Force</b>	A special group created by resolution and authorized to study a particular issue and report back to the Legislature. Its members may include legislators and citizens from designated groups or associations.
<b>Technical</b>	Nonsubstantive change.
<b>Third Reading</b>	The regular advancement of a bill once it has been reported by a committee and ordered engrossed by the House. Bills that have advanced to third reading may be considered on final passage in their regular course. (Const. Art. III, §15(D) and House Rules 8.14, 8.16 and 8.17) (Also see <b>Reading of a Bill</b> )
<b>Title</b>	<p>(1) A concise statement appearing at the beginning of a bill which is indicative of the object of the bill as required by the constitution and embraces the significant aspects of the subject content of the bill. (Const. Art. III, §15(A) and House Rule 7.5)</p> <p>(2) A brief statement in each simple or concurrent resolution indicative of its subject and purpose. (House Rule 7.4)</p> <p>(3) The largest subdivision of the <b>Louisiana Revised Statutes</b>. The revised statutes are comprised of Titles 1 through 56.</p>
<b>Veto</b>	<p>Governor’s disapproval of an enrolled bill. Has the effect of killing the bill unless the legislature subsequently votes to override the governor’s action by a 2/3 vote of each house. (Const. Art. III, §18 and Art. IV, §5(G) and House Rule 8.22) (Also see <b>Session, Veto Session</b>)</p> <p><b>Line item veto</b> – Power exercised by the governor to veto specified items (single appropriations) of an appropriation bill, although signing the remainder of the bill into law. (Const. Art. IV, §5(G))</p>

<b>Vote</b>	<p><b>Record vote</b> – A formal roll call of a house or committee of the legislature in which each member’s vote (yea or nay) on a motion is recorded (manually or electronically). Such vote is also recorded in the committee records and minutes and, in the case of floor action, in the Journal of the House or Senate. Certain votes are required to be record votes. All roll call votes in committee are record votes. (Const. Art. III, §§10(B) and 15(G) and House Rules 4.5, 6.22(B), 10.9, 12.2, and 14.43)</p> <p><b>Voice vote (viva voce)</b> – A vote taken orally or electronically in which the vote of each member is not permanently recorded. Response is given to the clerk calling the roll (or on the voting machine) in the form of yea or nay, with only the overall totals being recorded in the House or Senate Journal. Election of the Speaker, the Speaker Pro Tempore, and the Clerk is conducted by voice vote. (House Rules 2.3 and 2.4)</p>
<b>Vote to Reconsider</b>	(See <b>Reconsideration</b> )
<b>Weekly Committee Schedule</b>	A written announcement of a standing committee's activities for the upcoming session week. Includes the time, location, and matters to be considered at each of the committee's meeting days. A rule suspension is required to change this schedule, including adding a legislative instrument to be considered. (House Rule 14.23)
<b>Well of the House</b>	The area of the House floor, located between the House Desk and the first row of the members' desks, that contains the podium from which members address the House. (House Rule 1.2, Diagram)
<b>Withdraw</b>	<p>(1) To remove a motion from consideration. Must be made by the proposer. (House Rules 9.2 and 9.14(A))</p> <p>(2) To remove an amendment or bill from consideration. Must be made by the proposer. (See <b>Custom, Usage, and Practice in the Louisiana House of Representatives</b> appendix)</p> <p>(3) Any bill or resolution not finally passed in any session shall be withdrawn from the files of the legislature (Const. Art. III, §1(B)).</p>
<b>"Without Objection"</b>	A phrase used by the presiding officer during session or by a presiding member during a committee meeting to indicate that he or she is disposing of a matter without taking a roll call vote because a record vote is not required and no member has voiced an objection.

It is understood that the action taken is approved unanimously by the members present.

**Yield**

Formally, one legislator relinquishing the floor to another to speak during debate; or informally, pausing during speaking to allow another to ask a question. (House Rules 5.4 and 5.7)

## ABBREVIATIONS COMMONLY USED

### Legislative Instruments/Documents

<b>CA</b> .....	Constitutional Amendment
<b>CCR</b> .....	Conference Committee Report
<b>HB</b> .....	House Bill
<b>HCA</b> . . . .	House Committee Amendment
<b>HCR</b> . . . . .	House Concurrent Resolution
<b>HCSR</b> . .	House Concurrent Study Request
<b>HFA</b> . . . . .	House Floor Amendment
<b>HR</b> .....	House Resolution
<b>HSR</b> .....	House Study Request
<b>SB</b> .....	Senate Bill
<b>SCA</b> .....	Senate Committee Amendment
<b>SCR</b> .....	Senate Concurrent Resolution
<b>SCSR</b> ..	Senate Concurrent Study Request
<b>SFA</b> .....	Senate Floor Amendment
<b>SR</b> .....	Senate Resolution
<b>SS</b> . . . .	Summary of Senate Amendments

### Legislative Agencies

<b>HLS</b> .....	House Legislative Services
<b>JLCB</b> . . . . .	Joint Legislative Committee on the Budget

**LBCC**..... Legislative Budgetary Control  
Council

**SLS** . . . . . Senate Legislative Services

### State Departments/Agencies/ Federal Agencies

**AG** . . . . . Attorney General

**BESE**..... Board of Elementary &  
Secondary Education

**CRT**..... Department of Culture,  
Recreation & Tourism

**DAF** . . . . . Department of Agriculture  
& Forestry

**DOA** . . . . . Division of Administration

**DCRT** . . . . . Department of Culture,  
Recreation & Tourism

**DED** . . . . . Department of Economic  
Development (also **LED**)

**DEQ** . . . . . Department of Environmental  
Quality

**DHH** . . . . . Department of Health &  
Hospitals

**DOI**..... Department of Insurance

**DOJ**..... Department of Justice

**DOTD**..... Department of Transportation  
& Development

**State Departments/Agencies/  
Federal Agencies (continued)**

**DPSC**..... Department of Public Safety  
& Corrections

**DCFS**..... Department of Children  
& Family Services

**EPA**..... Environmental Protection  
Agency (U.S.)

**FCC**..... Federal Communications  
Commission (U.S.)

**GOHSEP**..... Governor's Office of  
Homeland Security and  
Emergency Preparedness

**IEB**..... Interim Emergency Board

**JDC**..... Judicial District Court

**LASERS**..... Louisiana State  
Employees Retirement System

**LCTCS**..... Louisiana Community &  
Technical College System

**LDR**..... Department of Revenue

**LED**..... Department of Economic  
Development (also **DED**)

**LFO**..... Legislative Fiscal Office

**LGCB**... Louisiana Gaming Control Board

**LIGA**..... Louisiana Insurance  
Guaranty Association

**LPFA**..... Louisiana Public  
Finance Authority

**LSLI**..... Louisiana State Law Institute

**NOCAA**..... New Orleans Center  
for Creative Arts

**OMV**..... Office of Motor Vehicles

**OSFA**.... Office of Student Financial Aid

**OYD**..... Office of Youth Development

**PRSAC**.... Public Retirement Systems'  
Actuarial Committee

**REC**..... Revenue Estimating Conference

**PSC**..... Public Service Commission

**ULS**..... University of Louisiana System

**USDOJ**..... United States  
Department of Justice

**Laws and Bodies of Law**

**ADA**.... Americans with Disabilities Act

**APA**.... Administrative Procedure Act

**CC**..... Civil Code

**CCP**..... Code of Civil Procedure

**CCrP**..... Code of Criminal Procedure

**CE**..... Code of Evidence

**CFR**..... Code of Federal Regulations

**ChC**..... Children's Code

**RS**..... Revised Statutes

**UCC**.... Uniform Commercial Code

**Miscellaneous**

**AFL-CIO.** . . . . . American Federation of  
Labor-Council of Industrial Organizations

**CABL.** . . . . . Council for a Better Louisiana

**CAFR.** . . . . . Comprehensive Annual  
Financial Report (state)

**COLA.** . . . . . Cost-of-Living Adjustment

**CPI.** . . . . . Consumer Price Index

**CSG.** . . . . . Council of State Governments

**DA.** . . . . . District Attorney

**DROP.** . . . . . Deferred Retirement  
Option Plan

**EBR.** . . . . . East Baton Rouge Parish

**ES.** . . . . . Extraordinary Session

**FITAP.** . . . . . Family Independence  
Temporary Assistance Program

**FY.** . . . . . Fiscal Year

**LABI.** . . . . . Louisiana Association of  
Business & Industry

**LaCHIP.** . . . . . Louisiana Children’s  
Health Insurance Program

**MFP.** . . . . . Minimum Foundation Program

**NCSL.** . . . . . National Conference  
of State Legislatures

**PAR.** . . . . . Public Affairs Research Council

**PSA.** . . . . . Public Systems Associates

**RS.** . . . . . Regular Session  
or Revised Statutes

**SELF.** . . . . . Support Education in  
Louisiana First Fund

**SLC.** . . . . . Southern Legislative Conference

**SREB.** . . . . . Southern Regional  
Education Board

**START.** . . . . . Student Tuition Assistance  
& Revenue Trust Program

**TANF.** . . . . . Temporary Assistance  
to Needy Families

**TIMED.** . . . . . Transportation Infrastructure  
Model for Economic Development

**TOPS.** . . . . . Taylor Opportunity  
Program for Students

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