

First Extraordinary Session, 2008

SENATE RESOLUTION NO. 5

BY SENATOR CHAISSON

SENATE. Provides requirements and procedures concerning supplemental information regarding amendments to any appropriation bill appropriating monies to certain entities.

1 A RESOLUTION

2 To adopt Senate Rule 8.4 of the Rules of Order of the Senate, relative to amendments to any
3 appropriations bill; to require supplemental information forms with amendments
4 proposing appropriations to certain non-government entities.

5 BE IT RESOLVED that the Senate of the Legislature of Louisiana adopts
6 Senate Rule No. 8.4 of the Rules of Order of the Senate to read as follows:

7 **Rule 8.4. Amendments to any appropriation bill**

8 **A. Any amendment to any appropriation bill which proposes to provide**
9 **funding for an entity which is neither a budget unit nor a political subdivision**
10 **of the state shall require the submission of information pursuant to the**
11 **procedure provided in this Rule.**

12 **B. Such information shall be provided in the form of a document which**
13 **shall be known as the "Appropriation Bill supplemental information form",**
14 **which shall include, at a minimum, the following information:**

15 **(1) The recipient's full legal name and mailing and physical address.**

16 **(2) The type of entity (for instance, a nonprofit corporation) and, if the**
17 **entity is a corporation, the names of the incorporators, of the recipient.**

1 **(3) The last four numbers of the taxpayer's identification number of the**
2 **recipient.**

3 **(4) The name of the legislator who is the requestor and, if different, the**
4 **sponsor of the amendment on behalf of the recipient.**

5 **(5) The name of each member of the recipient's governing board and**
6 **officers.**

7 **(6) The dollar amount to be appropriated by the amendment.**

8 **(7) The recipient's proposed detailed budget, including amounts**
9 **budgeted for salaries, professional services, contracts, acquisitions, major**
10 **repairs, and supplies.**

11 **(8) The recipient's public purpose sought to be achieved through the use**
12 **of state monies and the goals and objectives to achieve such purpose.**

13 **(9) The proposed length of time the recipient estimates is needed to**
14 **accomplish the purpose.**

15 **(10) If any elected or appointed state official or an immediate family**
16 **member of such an official is an officer, director, trustee, or employee of the**
17 **recipient who receives compensation or holds any ownership interest therein:**

18 **(a) If an elected or appointed state official, the name and address of the**
19 **official and the office held by such person.**

20 **(b) If an immediate family member of an elected or appointed state**
21 **official, the name and address of such person; the name, address, and office of**
22 **the official to whom the person is related; and the nature of the relationship.**

23 **(c) The percentage of the official's or immediate family member's**
24 **ownership interest in the recipient, if any.**

25 **(d) The position, if any, held by the official or immediate family member**
26 **in the recipient.**

27 **(11) If the recipient has a contract with any elected or appointed state**
28 **official or an immediate family member of such an official or with the state or**
29 **any political subdivision of the state:**

1 (a) If the contract is with an elected or appointed state official, the name
2 and address of the official and the office held by such person.

3 (b) If the contract is with an immediate family member of an elected or
4 appointed state official, the name and address of such person; the name,
5 address, and office of the official to whom the person is related; and the nature
6 of the relationship.

7 (c) If the contract is with the state or a political subdivision of the state,
8 the name and address of the state entity or political subdivision.

9 (d) The nature of the contract, including a description of the goods or
10 services provided or to be provided pursuant to the contract.

11 C. The Secretary of the Senate shall prescribe the form for submitting
12 the information required by this Rule. The information submitted pursuant to
13 this Rule shall be published by the Secretary of the Senate and shall be made
14 available to the public via the Internet. The Secretary of the Senate shall
15 maintain the information required to be submitted by this Rule in an online,
16 searchable database, available to the public via the Internet.

17 D.(1) Each completed Appropriation Bill supplemental information
18 form shall be a public record and shall be made available to every member of
19 the Senate at least one hour prior to the consideration of any such amendment
20 by a standing committee of the Senate and prior to the consideration of any
21 such amendment by the Senate.

22 (2) The Secretary of the Senate shall provide for the mechanism for
23 making all such completed Appropriation Bill supplemental information forms
24 available to all members of the Senate and for the sufficient notification to the
25 members of the availability of the information.

26 E. A motion to adopt any such amendment by any committee or by the
27 Senate shall not be in order unless the completed Appropriation Bill
28 supplemental information form regarding such amendment is made available
29 to the members of the Senate prior to such consideration as required by this

1 **Rule.**

2 **F. As used in this Section, the following terms shall have the meaning**
3 **provided below, unless the context requires otherwise:**

4 **(1) "Appointed state official" means a person holding an office in any**
5 **branch of state government or other position on a state agency, board, or**
6 **commission or any executive office of any state agency, board, commission, or**
7 **department which is specifically established or specifically authorized by the**
8 **constitution or laws of this state or by executive order of the governor and**
9 **which is filled by appointment or election by an elected or appointed public**
10 **official or by a governmental body composed of such officials of this state.**

11 **(2) "Budget unit" means any spending agency of the state which is**
12 **declared to be a budget unit by the division of administration and which is**
13 **identified for accounting purposes by a five-digit number code.**

14 **(3) "Elected state official" means any person holding an office in either**
15 **the executive, judicial, or legislative branch of state government which is filled**
16 **by the vote of the appropriate electorate. It shall also include any person**
17 **appointed to fill a vacancy in such office.**

18 **(4) "Immediate family" as the term relates to the elected or appointed**
19 **official means his children, the spouses of his children, his brothers and their**
20 **spouses, his sisters and their spouses, his parents, his spouse, and the parents of**
21 **his spouse.**

22 **(5) "Political subdivision" means a parish, municipality, and any other**
23 **unit of local government, including a school board and a special district,**
24 **authorized by law to perform governmental functions.**

25 **(6) "Recipient" means any entity which is not a budget unit or a political**
26 **subdivision of the state for which an amendment to an appropriation bill is**
27 **proposed to provide funding to the entity.**

28 **G. A motion to suspend this Rule shall be a debatable motion.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

Chaisson

SR No. 5

Proposed Senate Rule provides that any amendment to the any appropriation bill which proposes to provide funding for an entity which is neither a budget unit nor a political subdivision of the state requires the submission of information as provided in proposed Senate Rule.

Requires that the information is to be provided in the form of a document, known as the "Appropriation Bill supplemental information form", and shall include, at a minimum, the following information:

- (1) The recipient's full legal name and mailing and physical address.
- (2) The type of entity (for instance, a nonprofit corporation) and, if the entity is a corporation, the names of the incorporators, of the recipient.
- (3) The last four numbers of the taxpayer's identification number of the recipient.
- (4) The name of the legislator who is the requestor and, if different, the sponsor of the amendment on behalf of the recipient.
- (5) The name of each member of the recipient's governing board and officers.
- (6) The dollar amount to be appropriated by the amendment.
- (7) The recipient's proposed detailed budget, including amounts budgeted for salaries, professional services, contracts, acquisitions, major repairs, and supplies.
- (8) The recipient's public purpose sought to be achieved through the use of state monies and the goals and objectives to achieve such purpose.
- (9) The proposed length of time the recipient estimates is needed to accomplish the purpose.
- (10) If any elected or appointed state official or an immediate family member of such an official is an officer, director, trustee, or employee of the recipient who receives compensation or holds any ownership interest therein:
 - (a) If an elected or appointed state official, the name and address of the official and the office held by such person.
 - (b) If an immediate family member of an elected or appointed state official, the name and address of such person; the name, address, and office of the official to whom the person is related; and the nature of the relationship.
 - (c) The percentage of the official's or immediate family member's ownership interest in the recipient, if any.
 - (d) The position, if any, held by the official or immediate family member in the recipient.
- (11) If the recipient has a contract with any elected or appointed state official or an immediate family member of such an official or with the state or any political

subdivision of the state:

- (a) If the contract is with an elected or appointed state official, the name and address of the official and the office held by such person.
- (b) If the contract is with an immediate family member of an elected or appointed state official, the name and address of such person; the name, address, and office of the official to whom the person is related; and the nature of the relationship.
- (c) If the contract is with the state or a political subdivision of the state, the name and address of the state entity or political subdivision.
- (d) The nature of the contract, including a description of the goods or services provided or to be provided pursuant to the contract.

Requires that the Secretary of the Senate prescribe the form for submitting the required information. The information submitted is to be published by the Secretary of the Senate and made available to the public via the Internet. The Secretary of the Senate is to maintain the information submitted in an online, searchable database, available to the public via the Internet.

Provides that each completed Appropriation Bill supplemental information form is a public record and is to be made available to every member of the Senate at least one hour prior to the consideration of any such amendment by a standing committee of the Senate and prior to the consideration of any such amendment by the Senate.

Requires that the Secretary of the Senate provide for the mechanism for making all such completed Appropriation Bill supplemental information forms available to all members of the Senate and for the sufficient notification to the members of the availability of the information.

Requires that a motion to adopt any such amendment by any committee or by the Senate shall not be in order unless the completed Appropriation Bill supplemental information form regarding such amendment is made available to the members of the Senate prior to such consideration.

Defines terms used in proposed Senate Rule as follows:

- (1) "Appointed state official" means a person holding an office in any branch of state government or other position on a state agency, board, or commission or any executive office of any state agency, board, commission, or department which is specifically established or specifically authorized by the constitution or laws of this state or by executive order of the governor and which is filled by appointment or election by an elected or appointed public official or by a governmental body composed of such officials of this state.
- (2) "Budget unit" means any spending agency of the state which is declared to be a budget unit by the division of administration and which is identified for accounting purposes by a five-digit number code.
- (3) "Elected state official" means any person holding an office in either the executive, judicial, or legislative branch of state government which is filled by the vote of the appropriate electorate. It shall also include any person appointed to fill a vacancy in such office.
- (4) "Immediate family" as the term relates to the elected or appointed official means his children, the spouses of his children, his brothers and their spouses, his sisters and

- their spouses, his parents, his spouse, and the parents of his spouse.
- (5) "Political subdivision" means a parish, municipality, and any other unit of local government, including a school board and a special district, authorized by law to perform governmental functions.
- (6) "Recipient" means any entity which is not a budget unit or a political subdivision of the state for which an amendment to an appropriation bill is proposed to provide funding to the entity.

Provides that a motion to suspend the proposed Senate Rule shall be a debatable motion.

(Adds Senate Rule No. 8.4)