

2015 Regular Session

HOUSE BILL NO. 398

BY REPRESENTATIVES PRICE AND BROADWATER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

INTERIM EMERGENCY BOARD: Changes requirements for approval of capital outlay priority changes and project descriptions

1 AN ACT

2 To amend and reenact R.S. 39:461.4(A) and (B)(1) and 461.9(A) and to enact R.S.  
3 39:461.4(B)(3), relative to the interim emergency board; to change the vote  
4 requirements for approvals of capital outlay changes; to require the board to provide  
5 additional information to members of the legislature; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:461.4(A) and (B)(1) and (3) and 461.9(A) are hereby amended  
9 and reenacted and R.S. 39:461.4(B)(3) is hereby enacted to read as follows:

10 §461.4. Capital budget bond projects; priority changes; legislative consent;  
11 procedure

12 A. Whenever the interim emergency board determines that a project to be  
13 funded by the sale of state general obligation bonds should be designated as a lower  
14 or higher priority than the priority originally set in the comprehensive capital budget  
15 adopted by the legislature for the current fiscal year, or that an adjustment to a  
16 project description in such capital budget funded from any source is required in the  
17 manner provided for in R.S. 39:461.9, such change in priority or adjustment shall  
18 only become effective upon the approval by a majority vote of the ~~elected~~ members  
19 of each house of the legislature voting on the item.

1           B.(1) In order to obtain the consent of a majority of the ~~elected~~ voting  
2 members of each house of the legislature, the interim emergency board shall prepare  
3 and transmit a ballot to each member of the legislature by certified mail with return  
4 receipt requested unless it is determined that the legislature will be in session in time  
5 for the ballots to be distributed to them and returned by them during the session.

6                                           \*       \*       \*

7           (3) The interim emergency board shall transmit notification to each member  
8 of the legislature via electronic mail on the same day that the ballot is distributed to  
9 the members. The notification shall include all of the following:

10           (a) The number of items on the proposed ballot.

11           (b) The vote required for passage of items on the ballot.

12           (c) The date and time on which the ballot can be returned to the board in  
13 order to be valid.

14           (d) Such other pertinent information as the board shall determine.

15                                           \*       \*       \*

16           §461.9. Changing capital outlay project descriptions

17           A. Beginning with the comprehensive capital budget which the state adopts  
18 for Fiscal Year 2001-2002 and each fiscal year thereafter, whenever at the written  
19 request of the appropriate legislators and agency set forth in Subsection C of this  
20 Section the interim emergency board determines that an adjustment to a project  
21 description originally set forth in such capital budget adopted by the legislature for  
22 a current fiscal year is necessary to correct a mistake in a project description, clarify  
23 a description, change the scope of a description, or make any other adjustment the  
24 board deems necessary to implement the purpose of the project, such adjustment  
25 shall only become effective upon the approval by a majority vote of the ~~elected~~  
26 members of each house of the legislature voting on the requested adjustment in the  
27 manner provided for in this Chapter.

28                                           \*       \*       \*

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 398 Original

2015 Regular Session

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**Abstract:** Changes vote requirements for and requires electronic notification of ballots submitted by the Interim Emergency Board to the legislature for changes to capital outlay projects priorities or descriptions.

Present law authorizes changes in the priority for any capital outlay project or adjustment to a project description of any capital outlay project if the Interim Emergency Board (IEB) determines such change is necessary and the change is approved by a majority vote of the elected members of each house of the legislature.

Proposed law changes the required legislative approval from a majority of the elected members of each house to approval of a majority of the members of each house voting on the item.

Proposed law requires the IEB to notify members of the legislature via electronic mail on the same day ballots are distributed to the members. Notification shall include information on the proposed ballot, the vote requirement for passage of items on the ballot, the deadline for returning ballots, and other pertinent information.

(Amends R.S. 39:461.4(A) and (B)(1) and 461.9(A); Adds R.S. 39:461.4(B)(3))