

**Commission on Streamlining Government**  
**Rules of Procedure**

Adopted August 17, 2009

(Amended October 20, 2009 by adding Rule XIII)

**I. General**

A. The proceedings of the Commission shall be conducted in accordance with law and pursuant to the following rules. In these rules, except when the context requires otherwise, "Commission" also references and includes "advisory group" and so shall be applicable to advisory groups.

B. The Commission may officially represent itself, but not the state of Louisiana, any state agency, or any individual member in any matter concerning or related to the Commission. No member, other than the Chairman, shall make representations on behalf of the Commission, without the authorization of the Commission.

C. Any member may at any time raise a Point of Order concerning whether these Rules are being breached. The Point of Order is a request for a ruling by the Chairman, needs no second, is not debatable, and must be considered immediately. The ruling of the Chairman may be appealed to the Commission.

D. On any question of order and parliamentary practice, when the law and these rules are silent or inexplicit, Mason's Manual of Legislative Procedure shall be considered as authority.

**II. Meetings**

A. Every meeting of the Commission shall be open to the public unless closed pursuant to law.

B. The Commission shall meet regularly in accordance to a schedule approved by the Commission. The location of each Commission meeting will be at the State Capitol, unless the Commission elects to meet elsewhere.

C.(1) The Commission will provide an opportunity for public comment at its meetings, subject to reasonable rules, regulations, and restrictions adopted by the Commission.

(2) When the Commission holds a public hearing on any matter, the member offering the motion under discussion shall be entitled to make opening and closing remarks.

(3) Persons desiring to appear before the Commission shall notify the Commission Chairman or the Commission secretary no later than the beginning of the meeting. In addition, the Chairman shall inquire at the beginning of the hearing on each matter if there are additional

persons who wish to be heard. The Chairman shall allot the time available for the hearing in an equitable manner among those persons who are to be heard. Each person appearing before the Commission shall identify himself and the group, organization, or company he represents, if any.

(4) Any interested person or any Commission member may file with the Commission a prepared written statement concerning a specific matter under consideration by the Commission or concerning any matter within the Commission's scope of authority. The Commission records shall reflect receipt of such statement and the date and time thereof and shall include a copy thereof.

E. The Commission may remove any person or persons who willfully disrupt a meeting to the extent that orderly conduct of the meeting is seriously compromised.

### **III. Executive Sessions**

A. The Commission may hold executive sessions on a matter allowed to be exempted from discussion by the Open Meetings Law, upon an affirmative vote, taken at an open meeting for which notice has been given pursuant to law, of two-thirds of its Commission members present.

B. No final or binding action shall be taken during an executive session.

C. The vote of each member on the question of holding such an executive session and the reason for holding such an executive session shall be recorded and entered into the minutes of the meeting.

### **IV. Chairman**

A. The duties of the Commission Chairman shall be:

(1) To call all meetings of the Commission, including those requested by the membership.

(2) To preside at all meetings of the Commission.

(3) To call each meeting to order at the time and place designated by the meeting notice.

(4) To be responsible for maintaining a record of attendance at each Commission meeting.

(5) After ascertaining the presence of a quorum, to cause the Commission to proceed with its business in the proper order according to the agenda and to announce the business before the Commission as it proceeds with such business.

(6) To preserve order and decorum and to speak on points of order, for which purpose he shall have preference over other members.

(7) To decide all points of order, subject to appeal to the Commission.

(8) To explain or clarify any rule or procedure, upon request.

(9) To state or direct the Commission secretary to state each motion as it is made.

(10) To recognize members and afford each an opportunity to be heard during consideration of each matter.

(11) To state and put to a vote all questions requiring a vote after the order of the question on the same and thereafter to announce the vote.

(12) To appoint the membership and the Chairman of all advisory groups.

(13) To sign all documents which require his signature.

(14) To arrange for the posting and filing of Commission notices.

(15) To prepare or supervise the preparation of the agenda for each Commission meeting.

(16) To supervise and be responsible for the preparation of Commission reports and to submit them as required by law.

(17) To discharge all other duties required by law or directed by the Commission.

B. In the absence of the Chairman, the Vice Chairman shall exercise the powers and carry out the responsibilities of the Chairman.

C. In the absence of the Chairman and Vice Chairman, an acting Chairman shall be elected by the favorable vote of a majority of the quorum present.

## **V. Notice of meetings**

A.(1) The Commission shall give written public notice of each meeting no later than 24 hours before the meeting.

(2) The notice shall include the agenda, date, time, and place of the meeting.

(3) Following the above information there shall also be attached to the notice, whether or not such matters will be discussed in an executive session.

B. Written public notice shall include, but need not be limited to:

(1) Posting a copy of the notice at the building in which the meeting is to be held.

(2) Mailing a copy of the notice to any member of the news media who requests notice of such meetings; any such member of the news media shall be given notice of all meetings in the same manner as is given to members of the Commission.

## **VI. Agenda**

A. An agenda shall be prepared for each Commission meeting.

B. Commission members may submit items to the Commission Chairman for placement on the agenda under the appropriate order of business no later than three days prior to the meeting.

C. The tentative agenda for each Commission meeting will be electronically distributed to all Commission members at least two days prior to the meeting.

D. Upon unanimous approval of the members present at a meeting, the Commission may take up a matter not on the agenda. The matter shall be identified in the motion with reasonable specificity, including the purpose for the addition to the agenda, and entered into the minutes of the meeting. Prior to any vote on the motion to take up a matter not on the agenda, there shall be an opportunity for public comment on any such motion.

## **VII. Attendance; Quorum**

A. It shall be the responsibility of each member to attend and participate in all Commission meetings, to the extent permitted by law. If a member is unable to attend a meeting for any reason, that member shall notify the Commission Chairman or secretary. The Commission secretary shall be responsible for maintaining a record of the members present and the members absent at each meeting.

B. A quorum is a simple majority of the total membership of the Commission.

C. The presence of a quorum is required to transact business; however, a smaller number of members may adjourn.

## **VIII. Motions**

A(1). Only Commission members may make a motion. The member who made the motion may withdraw it at any time, unless it is a motion to reconsider, which motion shall not be withdrawn unless the approval of the Commission for such withdrawal first is obtained.

(2) No motion need be seconded.

B. When a question is divisible, any member may call for a division of the question.

C. No more than one substitute motion to any class of motion shall be in order at any one time.

D. At any time a question is under debate, the motions listed below shall take precedence in the order listed:

(1) To adjourn, fixing day and time

(2) To limit debate

(3) To take a recess

(4) To return to the calendar, subject to call

(5) To proceed to consideration of executive business

(6) To lay on the table

(7) To move the previous question

(8) To move the previous question on the entire subject matter

(9) To postpone indefinitely

(10) To postpone to a day and time certain

(11) To commit or recommit

(12) To amend

E. At any time any one of the above motions is under consideration, any motion having a higher precedence shall be in order and motions having a lower precedence shall not be in order.

F. A motion to adjourn, fixing the day and time for reconvening, shall always be in order, except when the main question has been ordered. The motion to adjourn shall be decided without debate. In putting the question on the motion to adjourn, when motions containing different times for reconvening have been made, the Chairman shall put the question on the motion proposing the shortest time of adjournment first, regardless of the order in which the motions were made.

G. A motion to limit debate while a speaker has the floor, thereby limiting the amount of time a speaker, including the speaker who has the floor at the adoption of the motion, may exercise on the question under debate, shall only be in order as provided for herein, except when the main question has been ordered. The motion to limit debate while a speaker has the floor, shall be decided without debate. In putting the question on the motion to limit debate while a speaker has the floor, seven members shall have to vote in the affirmative for either motion to be adopted. Thereafter, no member shall be entitled to speak in all more than the limit fixed by the motion.

H. The motion to proceed to the consideration of executive business shall not be entertained more than once during debate on any one matter, except by unanimous consent of the members present and voting. The motion is not debatable.

I.(1) The motion to lay on the table shall be decided without debate.

(2) When a matter is pending, an amendment to such matter may be laid on the table without prejudice to the matter then pending.

J. A motion once laid on the table shall not again be called from the table.

K.(1) The form of the motion for the previous question shall be: "I move the previous question." This motion shall be applicable to any outstanding subsidiary motions or amendments, if any. This motion shall be applicable to the main motion pending before the Commission when there are no subsidiary motions or amendments. The motion is undebatable, if any. When adopted, its effect is to put an end to debate and to bring the Commission to a vote on the outstanding subsidiary motion or amendments or the main question, as the case may be.

(2) The form of the motion for the previous question on the entire subject matter shall be: "I move the previous question on the entire subject matter." This motion shall be applicable to the main motion pending before the Commission when there are subsidiary motions or amendments. The motion shall be undebatable. When adopted, its effect shall be to put an end to all debate on any amendment or on the main question and to bring the Commission immediately to a vote upon a subsidiary motion, amendment or amendments, if any, and then upon the main question.

(3) The motion for the previous question and the motion for the previous question on the entire subject matter shall require the approval of a majority of the members present and voting for adoption.

(4) Adoption of either motion shall have the effect of ending debate; however, the proponent of each motion or amendment upon which debate has been closed, or a member or members designated by him, shall have the right to close the debate.

(5) All incidental questions of order which arise after the motion for the previous question on the entire subject matter or the motion for the previous question has been made and which are to be decided prior to the main question shall be decided without debate, whether or not they are appealed.

(6) If the motion to postpone is pending at the time the motion for the previous question on the entire subject matter or the motion for the previous question is adopted, the effect of the adoption of the motion for the previous question on the entire subject matter or the motion for the previous question shall be only to bring the Commission to a direct vote on the motion to postpone.

L.(1) When a motion has been made and carried in the affirmative or negative, it shall be in order for any member voted on the side that prevailed to move for the reconsideration thereof and, if the motion was on the question of the adoption of any matter, any member who voted thereon may offer a motion for reconsideration. However, if the motion was on the question of the adoption of any matter, and the motion was adopted, the member who offered the motion so adopted shall be recognized first to offer a motion to reconsider such motion and to lay the motion to reconsider on the table. No motion to reconsider a vote which has been reconsidered previously shall be in order at any time.

(2) To be in order, the motion to reconsider shall be made and, subject to the provisions of Paragraph C, shall be disposed of on the same day the original motion was adopted or rejected and when the motion otherwise is in order. A subsidiary motion may not be reconsidered after the disposition of the main motion, unless the latter has been reconsidered.

#### M. Table of Rules Relating to Motions

Rule 11.13. Table of Rules Relating to Motions

The following table of rules relating to motions shall govern:

Motion	Debatable	Opens Main Question To Debate	Can be Amended by a Substitute Motion (1)	Can be Recon- sidered (14)	Vote Required (2)	In Order When Another Has Floor
Adjourn, fixing day and time	No	No	Yes	No	M	No
Amend	Yes	No	No	Yes	M	No
Appeal a call to order or reprimand	No (3)	No	No	Yes (4)	ME	Yes
Appeal, all other cases	Yes (3,5)	No	No	Yes (4)	ME	Yes
Call to order	No	No	No	Yes	M (6)	Yes
Commit or recommit	Yes	Yes	Yes	Yes (8)	M	No
Extend limits of debate	No	No	Yes	Yes	M	No
Lay on table	No	No	No	No (7)	M	No
Leave to continue speaking after indecorum	No	No	No	Yes	M	No
Limit debate	No	No	Yes	Yes	M	No
Postpone indefinitely	Yes	Yes	No	Yes	M	No
Postpone to a certain day and time	No	No	Yes	Yes	M	No
Previous question	No	No	No	Yes	M	No
Previous question on entire subject matter (10)	No	No	No	Yes	M	No
Priority of business relating to	No	No	No	Yes	M	No
Privilege, question of	Yes	No	Yes	Yes	M	No
Proceed to executive business	Yes	No	Yes	Yes	2/3P	No(14)
Reconsider a debatable question	Yes	Yes	No	No	M	(11)
Reconsider an undebatable question	No	No	No	No	M	(11)
Refer	Yes	Yes	Yes	Yes (8)	M	No
Special order, to make a	Yes	No	Yes	Yes	M	No
Suspend the rules	No	No	No	No	ME	No
Take a recess	No	No	Yes	No	M	No
Take up order of the day	No	No	No	Yes	(9)	Yes
Withdrawal of a motion	No	No	No	Yes	(12)	No



## EXPLANATION OF TABLE

"Yes" shows that the rule heading the column in which it stands applies to the motion opposite to which it is placed. "No" shows that the rule does not apply. A figure shows that the rule only partially applies -- the figure referring to the note showing the limitation. Take, for example, "Lay on the Table." The table shows that it is undebatable, does not open main question, cannot be amended, an affirmative vote as shown by note No. 8 cannot be reconsidered, requires a majority vote, and is not in order when another has the floor.

## NOTES TO TABLE RELATING TO MOTIONS

1. A motion can be altered in some respect by a substitute motion -- for example, the motion to lay on the table cannot be altered by a substitute motion, but the motion to fix the time and day to which to adjourn can be altered by a substitute motion by naming another day and/or time.

2. Vote required: M -- Majority of those present and voting; ME -- Majority of the total Commission membership; 2/3P -- 2/3 of those present.

3. An appeal is undebatable only when relating (a) to indecorum or (b) to transgressions of the rules of speaking or (c) to the priority of business or (d) when made while the previous question is pending. When debatable, only two speeches from each member are allowed.

4. The vote on a motion to appeal may be reconsidered, but when the subject matter upon which the appeal was taken has been disposed of, and it is impossible for the Commission to reverse its action, it is too late to move to reconsider the vote on the motion to appeal.

5. No member shall speak more than twice unless by leave of the Commission. (See Note 3, supra.)

6. If any member, in speaking or otherwise, transgresses the rules of the Commission, the Chairman shall, or any member may, call him to order.

7. An affirmative vote on this motion cannot be reconsidered.

8. Cannot be reconsidered when with advisory group.

9. A matter of right; it would require a vote equivalent to a suspension of the rules to proceed otherwise.

10. The previous question on the entire subject matter, if adopted, cuts off debate and brings the Commission to a vote on the pending questions in their order until the main question is reached, which shall be at once disposed of. But its only effect, if a motion "to postpone" is pending, is to bring the Commission to a vote upon that motion.

11. Can be moved and entered on the record when another has the floor, but cannot interrupt business then before the Commission.

12. A matter of right, except in the case of the motion to reconsider.

13. A rejected motion, although it is of a class that cannot be reconsidered, nonetheless can be renewed after progress in debate or the transaction of any business, if the renewal is not dilatory.

14. Not in order more than once during debate on any one matter except with unanimous consent of those present and voting.

## **IX. Voting**

A. The Commission shall not use any manner of proxy voting procedure, secret balloting, or any other means to circumvent the intent of Open Meetings Law.

B. All votes made by members of the Commission shall be viva voce and shall be recorded in its minutes.

C. Before putting any debatable question, the Chairman shall ask: "Are you ready for the question?" When it is evident that no member wishes to speak, the question shall be put by the Chairman in substantially the following form: "As many as are in favor of (as the question may be), will vote yes when your name is called; those opposed will vote no. After the members have voted, the Chairman shall announce the vote.

D. If any member questions a vote, the Chairman shall order a poll of the vote of each member without further debate.

E. If a Commission member abstains from voting, the member shall still be considered as present for quorum purposes.

F. No recommendation can be adopted by the Commission unless at least a majority of the members of the Commission vote in favor thereof.

G. Amendments to motions can be adopted by the favorable vote of a majority of the members present and voting.

H. A tie vote results in no action being taken on the motion or matter. In such instance, any member may offer another motion for further action.

I.(1) If any elected official, in the discharge of a duty or responsibility of his membership, would be required to vote on a matter which vote would be a violation of R.S. 42:1112 of the Code of Governmental Ethics, he must recuse himself from voting. He may still participate in discussion and debate concerning the matter, provided that he makes the disclosure of his conflict or potential conflict a part of the record of the Commission prior to his participation in the discussion or debate and prior to the vote that is the subject of discussion or debate.

(2) If any appointed member of the Commission, in the discharge of a duty or responsibility of membership, would be required to vote on a matter which vote would be a violation of R.S. 42:1112 of the Code of Governmental Ethics, he must recuse himself from voting. He shall not participate in discussion and debate concerning the matter.

## **X. Minutes**

A. The Commission shall keep written minutes of their open meetings and such minutes shall constitute a written report of said meeting.

B. The minutes shall include but need not be limited to:

(1) The date, time, and place of the meeting.

(2) The members of the Commission recorded as either present or absent.

(3) The substance of all matters decided, and, at the request of any member, a record, by individual member, of any votes taken.

(4) The names and addresses of each person appearing before the Commission, with the name and address of any person, firm, corporation, association, or organization on whose behalf the appearance is made.

(5) The important points made by each witness and by each member.

\_\_\_\_\_ (6) Each action of the Commission, including final action with respect to each matter on which the Commission makes a report.

(7) The vote of each member on each matter or motion considered by the Commission on which a record vote is taken.

(8) Any other information that the Commission requests be included or reflected in the minutes.

C. Draft minutes of meetings shall be electronically distributed to the Commission members prior to its consideration for approval at the next scheduled meeting.

D. The minutes shall be available within a reasonable time after the meeting, except where such disclosures would be inconsistent with law.

## **XI. Advisory Groups**

A. The Commission may appoint advisory groups to conduct studies, research or analyses, and make reports and recommendations with respect to a matter within the jurisdiction of the Commission.

B. Each advisory group shall consist of no more than five members including at least one Commission member, with one of the Commission members serving as its Chairman, and no more than three non-Commission members. The non-Commission advisory group members shall be entitled to vote on matters before the advisory group.

## **XII. Sonic and video recordings; live broadcast**

A. All or any part of the proceedings of the Commission in a public meeting may be video or tape recorded, filmed, or broadcast live.

B. The Commission may establish standards for the use of lighting, recording or broadcasting equipment to insure proper decorum in a public meeting.

## **XIII. Procedure for Consideration of Proposed Recommendations**

A. The Commission may receive proposed recommendations from any advisory group and any Commission member.

B. Except as provided in Paragraph C, a proposed recommendation by an advisory group shall be read into the Commission record. Thereafter, for a period set by the Commission not to exceed fourteen days, the Commission shall receive written comment thereon and forward such comment to the advisory group which proposed the recommendation. The advisory group may hold additional hearings on the matter. After the period for written comment has elapsed, the advisory group shall report to the Commission whether the proposed recommendation is confirmed, amended, or withdrawn. The Commission shall receive the report and proceed to act thereon.

C. A proposed recommendation by a Commission member shall be read into the Commission record and referred to an advisory group. Thereafter, for a period set by the Commission not to exceed fourteen days, the Commission shall receive written comment thereon and forward such comment to the advisory group. The advisory group may hold hearings on the matter. After the period for written comment, the advisory group shall report to the Commission on the proposed recommendation as favorable, amended, unfavorable, substituted, or without action. In addition, the member may withdraw the recommendation. The Commission shall receive the report and proceed to act thereon.