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TO: House Organization Negotiation Committee

FROM: House Research Department

The attached is in response to your request regarding the powers and responsibilities of the Speaker, and the Chairs of the Committees on Taxes, Appropriations, Governmental Operations, and Rules according to Statute, Rule and custom.

The lists are not exhaustive; they include only those items which could be identified in the last 20 hours. For example, a complete review of Session Laws was not possible but we assume that relevant items have been codified and are therefore included in our review of the statutes. Further, powers and responsibilities established by custom would need to be identified through an interview process since these are not in any written form. Only a few are noted in the attached.

We will continue to update this list. As new information is gathered from the Clerk of the House, caucus research staffs, the Revisor, our own research or from other sources, we will edit the list and supply it to you.

HRD/PBL/vgc

Contents

Section

- 1 Powers and Responsibilities of the Speaker as Established by Legislation Related to Commissions, Special Committees and Boards
- 2 Powers and Responsibilities of the Speaker as Established by Statute, Other Than Those Related to Commissions, Special Committees and Boards.
- 3 Powers and Responsibilities of the Speaker as Established by House Rules and Joint Rules, 1977-1978
- 4 Powers and Responsibilities of the Chairs of House Committees on Taxes, Appropriations, Governmental Operations, and Rules as Established by Statute*
- 5 Powers and Responsibilities of the Chairs of House Committees on Taxes, Appropriations, Governmental Operations, and Rules as Established by House Rules and Joint Rules, 1977-1978
- 6 Powers and Responsibilities of the Speaker as Established by Custom

*Other than those related to their specific committee functions.

Section

1

Powers and Responsibilities of the Speaker

as Established by Legislation,

Related to Commissions, Special Committees, and Boards

Legislative Commission to Review Administrative Rules

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn.Stat. §3.965.

Legislative Advisory Commission

Chairmen of the Appropriations and Taxes Committees serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn.Stat. §3.30

Legislative Audit Commission

Speaker serves as a member of the Legislative Audit Commission. The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn.Stat. §§3.97 - 3.98.

Legislative Coordinating Commission

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has budgetary review authority over statutory commissions the majority of whose members are legislators. Minn.Stat. §§3.303 - 3.305.

Education Commission

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn.Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

Midwestern Education Board

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn.Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn.Stat. §121.843.

Great Lakes Basin Commission

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn.Stat. §1.22.

Indian Affairs Intertribal Board

The Speaker appoints three house members to serve on the Indian Affairs Intertribal Board. This board acts as a liaison between state government and the Indian tribes and is to assist the tribes in various matters in their relationships with private agencies and government. Minn.Stat. 3.922.

Commission on Interstate Cooperation

The Speaker serves as an ex officio, honorary member of the commission and appoints the five members of the commission from the house of representatives, so long as he retains the power to appoint members of standing committees of the house. (The law creates a five member standing committee of both the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn.Stat. §2.09.

Iron Range Resources and Rehabilitation Board

The Speaker appoints the five house members on the Iron Range Resources and Rehabilitation Board. All expenditures and projects made by the commissioner of iron range resources and rehabilitation must be submitted to the board for a recommendation of approval, disapproval or modification. The board must approve or disapprove all disbursements. Minn.Stat. §298.22, subd. 2.

Joint Legislative Committee on Solid and Hazardous Waste

Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing

research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L. 1978, C. 728 §2.

Legislative Commission on Minnesota Resources

Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn.Stat. §§86.06 - 86.12.

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn.Stat. §1.34.

Mississippi River Parkway Commission

Speaker appoints the three house members of the commission. The commission is charged with working toward planning and development of the great river road or the Mississippi River Parkway and to aid in securing the location of federal parks within Minnesota. Minn.Stat. §161.1419.

Legislative Commission on Pensions and Retirement

Speaker appoints the five house members of the commission. The commission is charged with studying and investigating public retirement systems. Minn.Stat. §3.85.

Steering Committee of the MTC Directing the Feasibility Study of the Downtown People Mover

Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

Personnel Board

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn.Stat. §43.03.

Legislative Commission to Study Public Broadcasting in the State

Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public broadcasting in Minnesota. (Effectively expires 1-15-79.) L. 1977, C. 445 §3.

Privacy Study Commission

Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn.Stat. §15.169.

Small Business Advisory Task Force

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. (Expires 7-1-79.) L. 1978, C. 709 §2.

Tax Study Commission

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn.Stat. §3.86.

Voyageurs National Park Citizens' Committee

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83.) Minn.Stat. §84B.11.

Council on Economic Status of Women

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81.) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

Workers Compensation Study Commission

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78.) L. 1977, C. 342 §27.

Laws 1977, Chap. 455 §19, Subd. 2.

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives *** who shall be involved in the ongoing process" of a study of economic development by the State Planning Agency.

Laws 1977, Chap. 430 §28, Subd. 2.

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security.

Laws 1977, Chap. 311 §12

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1980 legislative session.

Section

2

Powers and Responsibilities of the Speaker

as Established by Statute,

Other Than Those Related to Commissions, Special Committees and Boards

Standing Committees as Interim Study Committees

For House committees, vacancies shall be filled by the last elected speaker of the House. Minn. Stat. §3.921.

Gubernatorial Succession

Order of succession is the lieutenant governor and then the president of the senate. If there is no president of the senate, then the speaker of the house shall become governor for the remainder of the term.

In case of death or other failure to take office of the governor elect, the lieutenant governor, the president of the senate, or the last duly elected speaker of the house take office in that order. Minn. Stat. §4.06.

Legislative Manual

Speaker to approve students edition of Legislative Manual which is prepared by the Secretary of State. Minn. Stat. §5.09.

Lobbyist Report

Director of Ethical Practices Board to report names of registered lobbyists to speaker. Minn. Stat. §10A.05.

Conflicts of Interest

Members of house to deliver conflict of interest statements to speaker. Minn. Stat. §10A.07.

Statements of Economic Interest

Ethical Practices Board to notify speaker of names of individuals filing statements. Minn. Stat. §10A.09, Subd. 3.

Appointments to Agencies

Ethical Practice Board to submit copies of any statements which candidates must file with it to the speaker. Minn. Stat. §15.0597, Subd. 5.

Acting Department Heads

Notice of designation of a commissioner or an acting commissioner shall be filed with the speaker. Minn. Stat. §15.06, Subd. 5.

Transmittal of Judgments

If any candidate for the house be convicted of a violation of §210A.01-.44, a certificate of such conviction is to be transmitted to the speaker. Minn. Stat. §210A.40.

Section

3

Powers and Responsibilities of the Speaker

As Established by House Rules and Joint Rules, 1977-78

House Rules

(1) Presiding Officer of the House

- a) Power to call the House to order. Rule 1.1
- b) Power to excuse members during a call of the house. Rule 2.2
- c) Power to require any motion to be in writing. Rule 3.1
- d) May allow 2 minute statement of reasons why house should not adjourn after nondebatable motion to adjourn has been made. Rule 3.3
- e) Power to recognize members on floor. Rule 4.2
- f) Power to call house or any member to order. Rule 4.3
- g) General powers of a presiding officer under rules of parliamentary procedure. Rule 7.1.
- h) Power to order Sergeant at Arms to take action. Rule 7.9

(2) Appointive Powers

- a) May appoint another member to preside over the committee of the whole. Rule 1.5
- b) Appoints members of standing committees. Rule 6.1
- c) Designates the number of minority members on standing committees. (Minority selects specific members who serve on committees) Rule 6.2
- d) Appoints chief Sergeant at Arms or designates him from among those elected by the House. Rule 7.1
- e) May appoint temporary Speaker pro tem. Rule 7.2

(3) Administrative Duties and Powers

- a) Directs the chief clerk in preparation of general orders. Rule 1.7
- b) Power to issue permits for admission onto the house floor for nonmembers. Rule 4.9

- c) Gives permission to members to be absent from a session. Rule 4.1
- d) Prepares schedule of regular committee meetings. Rule 6.3
- e) Power to set times during the interim when per diems are not charged against committee budgets. Rule 6.12
- f) General control of chamber, corridors, passages, and rooms assigned to the use of the House. Rule 7.1
- g) Power to direct the chief clerk in the performance of his duties. Rule 7.3

(4) Control of Bill Flow

- a) Presents petitions, memorials, and other papers to full house. Rule 4.10
- b) Refers bills to standing committees after first reading. Rule 5.4
- c) Power to refer committee bills to committee. Rule 5.5

(5) Official Representative of the House

- a) Signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas. Rule 7.1

Joint Rules

- (1) Presiding officer at joint conventions. Rule 1.01
- (2) Certifies election results in conjunction with the President of the Senate. Rule 1.08

Section

4

Powers and Responsibilities of the Chairs of House Committees
on Taxes, Appropriations, Governmental Operations,
and Rules as Established by Statute

A. Taxes

Legislative Advisory Commission

Is a member of the LAC. Minn. Stat. §3.30.

Tax Study Commission

Is a member of this commission. Minn. Stat. §3.86.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

B. Appropriations

Legislative Advisory Commission

Is a member of the LAC. Minn. Stat. §3.30.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

C. Governmental Operations

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

D. Rules

Legislative Advisory Commission

Fills vacancies in LAC during interim periods if the last speaker is not available. Minn. Stat. §3.30.

Legislative Commission on Pensions and Retirement

Fills vacancies in this commission during interim if the last speaker is not available. Minn. Stat. §3.85.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

Education Commission

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.82.

Midwestern Education Board

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.844.

Powers and Responsibilities of the Chairs of House Committees
on Taxes, Appropriations, Governmental Operations,
and Rules as Established by House Rules and
Joint Rules, 1977-1978

House Rules

Any bill relating to taxes or raising revenues shall be acted upon whenever requested by the Chairman of the Tax Committee, and any appropriation bill shall be acted upon whenever requested by the Chairman of the Committee on Appropriations. (After April 25, 1977) Rule 1.10.

Joint Rules

None.

Powers and Responsibilities of the Speaker
as Established by Custom

1. Appoints House members to conference committees.
2. Is the principal House spokesman and liaison to the Senate and the Executive.
3. Is the principal House spokesman to the public.