

DFL - IR PROPOSAL FOR HOUSE ORGANIZATION

Contract, Committee Structure,
Rules Committee and Speaker

January 3, 1979, As Amended January 7, 1979

WRITTEN CONTRACT

- I. Duration
 - A. The provisions of the organizational contract shall expire when either side obtains an organizational majority of 68 votes through the issuance of a new election certificate.
 - B. The caucus obtaining such a majority could consider continuing portions of the contract arrangements on a voluntary basis.
- II. The provisions of the organizational contract shall prevail over the provisions of House Rules where in conflict.
- III. The organizational contract shall be signed and ratified by the 10 negotiators.
- IV. The organizational contract shall be ratified by roll call of the House immediately following the election of the Speaker. The contract shall be published in the Journal of the House.
- V. Upon ratification of the contract, a standing subcommittee on Rules of the Committee on Rules and Legislative Administration shall assume the functions of the negotiation team for the duration of the contract as provided herein.
- VI. Upon ratification of this agreement, Representative Irv Anderson, District 3A, is hereby designated chairman of the Committee on Rules and Legislative Administration.
- VII. Upon ratification of this agreement, the Rules of the House for the 70th Regular session, as the same were in effect on March 24, 1978, be and the same are hereby adopted as the temporary Rules of this House for the 71st Session until such time as the Committee on Rules and Legislative Administration shall have made its report and new permanent Rules shall have been adopted.

COMMITTEE STRUCTURE

1. Except as provided elsewhere in this agreement, membership on all standing committees, divisions and subcommittees shall be evenly divided between DFL and IR caucus members.
2. Subcommittee ~~members and~~ chairmanship shall be designated by the committee chairman with the advice and consent of the caucus leader of the caucus holding the chairmanship.
3. The chairmen of all committees shall retain their present powers except as modified by this agreement.
4. There shall be no more than two subcommittees per committee, designated by the chairman. The allotted number of subcommittees for any committee may be increased upon approval of the Committee on Rules and Legislative Administration, upon the request of the appropriate committee chairman.
5. A majority of a committee's members may bring a matter before the full committee for consideration.
6. Except for the modifications noted in Number 7 below, committee jurisdictions shall be the same as in the 70th Session.
7. All existing committees and divisions shall be re-established for the 71st legislative session with the following modifications: Re-establish the Committee on Judiciary; create a new Committee on Energy and Utilities; combine Committees of Education and Higher Education and create a Division of Higher Education within the combined committee; create two divisions of Taxes; and add the word "Housing" to Committee on Commerce and Economic Development.
8. Committee chairmen, vice-chairmen, division chairmen and standing committee members shall be designated by announcements of the Speaker and Rules Committee Chairman for their respective caucuses and printed in the House Journal.

9. The chairmanship of committees and divisions shall be assigned to one or the other caucus as follows:

<u>COMMITTEE</u>	<u>CAUCUS CHAIRING</u>	<u>SIZE OF COMMITTEE</u>
Agriculture	DFL	20
Appropriations	DFL	36
Education Division	I-R	(12)
Health, Welfare & Corrections Division	I-R	(12)
Semi-State Division	I-R	(8)
State Departments Division	I-R	(12)
Commerce, Economic Development and Housing	I-R	24
Criminal Justice	I-R	20
Education	DFL	28
School Aids Division	DFL	(12)
Higher Education Division	I-R	(14)
Energy and Utilities	I-R	24
Environment and Natural Resources	DFL	24
Financial Institutions and Insurance	DFL	24
General Legislation and Veterans Affairs	DFL	20
Governmental Operations	DFL	28
Health and Welfare	I-R	24
Judiciary	DFL	20
Labor/Management Relations	DFL	20
Local and Urban Affairs	I-R	28
Taxes	DFL	31
Division 1	I-R	(15)
Division 2	I-R	(15)
Transportation	DFL	24

10. There shall be a one-vote majority for the caucuses chairing the full committee and the two divisions of the Committee on Taxes.

RULES COMMITTEE

- I. The Committee on Rules and Legislative Administration shall be chaired by a member of the DFL caucus. It shall be composed of 23 members, 12 of whom are DFL caucus members and 11 of whom are I-R caucus members.
- II. There shall be a regularly-scheduled weekly meeting of the Committee on Rules and Legislative Administration. In addition, either the Rules Committee Chairman or caucus leader opposite the chairman may call a committee meeting upon notice to each member of the committee, provided there is no conflict with a regularly-scheduled standing committee or subcommittee meeting. If not occurring during a day on which the House meets, ample opportunity must be given to all members to attend. Either the chairman or caucus leader opposite the chairman may place an item on the agenda for the next meeting.
- III. All duties of the Committee on Rules and Legislative Administration as presently provided in the rules remain the same with the following modifications:
 - A. Reference of bills to committee. The Speaker shall make the initial reference. However, the chief author or either caucus leader may object to the reference on the same day as the bill is referred. In this case, the bill will be referred to the Committee on Rules and Legislative Administration for referral to a committee. The Rules Committee report on the referral is not subject to objection on the floor. If the Rules Committee does not make such a reference within five (5) legislative days, the referral of the Speaker shall stand.
 - B. Before action by the full House, all constitutional amendments shall be referred or re-referred to the Committee on Rules and Legislative Administration.
 - C. No amendment to the report of the Committee on Rules and Legislative Administration on the Rules of the House shall be allowed on the floor of the House.
 - D. The Speaker's power to supervise the Chief Clerk under Rule 7.3 shall be subject to review by the Committee on Rules and Legislative Administration.
- IV. The chairman of the Committee on Rules and Legislative Administration shall create a standing subcommittee on Rules composed of 10 members evenly divided between the DFL and IR caucuses which members shall be designated by the appropriate caucus leader. No amendment to the Rules of the House or this document shall be considered by the full House without approval of this subcommittee. The full committee may consider but not amend or defeat any proposed amendment to the Rules of the House reported by the subcommittee. Proposed amendments or disputes as to the interpretation of the Rules or this document shall be automatically referred to this subcommittee.

V. Appointments

- A. The Chairman of the Committee on Rules and Legislative Administration shall continue to fill vacancies in those commissions and boards provided by statute (Refer to Sec. 4 of House Research Report) in such a way as to assure proportional representation between the two caucuses. In making appointments of members of the opposite caucus, the Chairman shall follow the recommendations of that particular caucus leader.
- B. The Rules Committee shall devise a method to determine the proportionality of appointments to those commissions and boards listed in Section I of the House Research memorandum dated December 6, 1978. Upon devising such a method, each caucus shall select members for those commissions and boards in any manner it chooses.

Section IV, Page 2 of
House Research Memorandum of December 5, 1978

Legislative Advisory Commission

Fills vacancies in LAC during interim periods of 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.

SPEAKER

- I. An I-R caucus member shall serve as Speaker.
- II. Powers and Responsibilities -- All present powers and responsibilities are retained with the following modifications:
 - A. Statutory Commissions, Special Committees and Boards (Refer to Sec. 1 of House Research Memo dated December 5, 1978 as amended by memo of Dec. 6, 1978).
 1. The Speaker will make all appointments to statutory commissions, special committees, and boards as provided by law. In those cases where statutory provisions refer to "minority leader", the Speaker shall make the appointments to assure proportional representation of the two caucuses.
 2. In making appointments of members of the opposite caucus, the Speaker shall follow the recommendations of that particular caucus.
 3. Where regular appointments are combined with automatic ex-officio appointments on a commission, special committee, or board, those regular appointments will be made so that all appointees, including those ex-officio, will be in a proportional balance between the two caucuses.
 4. Where an odd number of appointments is to be made to a particular commission, special committee, or board, balancing appointments will be made to another commission in order to assure overall proportionality.
 5. In filling vacancies occurring after the initial appointments, the Speaker shall follow the guidelines set forth above.

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.

Term: No length of term specified. Members of the commission must be state representatives or senators.

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. (Minority leader appoints three house members to the 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.

Term: Terms expire at the opening of the next regular legislative session.

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.

Term: Members serve until a successor is appointed at the next regular legislative session.

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.

Term: Terms are for two years, coinciding with the member's term in the house.

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.

Term: Terms are for two years, coinciding with the member's term in the house.

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.

Term: No term specified in state; however, four of the commissioners must be members of the legislature.

**Indian Affairs Intertribal Board

The Speaker appoints three house members to serve as nonvoting members 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.

Term: Office is vacant when legislative member appointed is no longer a member of the legislature.

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. §3.29.

Term: Term is for duration of the legislative session--membership is the same as that of any other standing committee of the House.

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.

Term: No term specified. Members are to be members of the legislature.

**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.

Term: Members of the house are appointed at the close of the regular legislative session and are "to serve until successors are chosen." Vacancies are to be filled in the same manner as the original positions.

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.

Term: New members are to be selected by January 31st of odd numbered years.

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.

Term: Terms are coterminous with the regular legislative session.

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.

Term: Terms are for two years commencing January 16th in odd numbered years.

**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; L. 1978, C. 793 §86.

Term: Vacancies are to be filled by appointing power.

*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.

Term: Terms expired with start of the 1977 session. The power of the commission to act effectively expired at that time.

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. L. 1978, C. 709 §2.

Term: No provision for terms or filling vacancies. Task Force's final report is to be submitted by 12-1-78 and is to be implemented by DED by 7-1-79.

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.

Term: Terms are for two years, expiring on January 15th of the succeeding biennial session. Members serve only for as long as they are members of the house.

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.

Term: Legislative members serve for the term of the legislative office to which they were elected.

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.

Term: "Members shall serve until the expiration of this act or until the expiration of their legislative terms."

*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.

Term: Members serve until expiration of the commission.

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. The report was to be submitted by 1-1-78.

*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 1978 legislative session.

National Council of State Legislatures

Appointments to NCSL and other national organizations shall be by caucus leaders in a proportional manner.

- B. Statutory power other than those related to commissions, special committees, and boards (Refer to Section 2 of House Research Report dated December 5, 1978).
1. Standing committees as interim committees. In making such appointments, the Speaker shall follow the recommendations of the leader of the caucus in which the vacancy occurs.

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.

*Commission, committee, board, or task force has expired or will expire early in 1979 session.

**Only vacancies to be filled before the close of the 1979 session.

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.

2. A copy of all reports or lists received by the Speaker pursuant to statutory direction shall, immediately upon receipt, be provided to the caucus leader of the other caucus.

C. House Rules and Joint Rules (Refer to Section 3 of House Research Report dated 12-5-78.)

All powers and duties enumerated in the House Rules are retained with the following modifications:

- 1c Power to require any motion to be in writing shall be subject to consultation between caucus leaders, if abused.
- 2b and 2c Appointments to standing committees shall be made as designated above in the section on Committee Structure.
- 3a Directs the chief clerk in preparation of General Orders. Continues as at present but with the understanding that committee reports shall be given their second reading (before placement on General Orders) in numerical order of introduction with House Files placed ahead of Senate Files.
- 3b Power to issue permits for admission to floor continued with understanding that each caucus leader will have equal number of floor passes available to him until one hour before each daily session.
- 3c The Speaker or opposing caucus leader may give permission to a member of his caucus to absent himself from a session of the House and have his excused absence noted in the Journal.
- 3d Schedule of committee meetings shall be worked out by agreement of the Speaker and the opposing caucus leader.
- 3e The power to set times during the interim when per diems are not charged against committee budgets (Rule 6.12) may be exercised by either caucus leader.
- 3f Space allocation is subject to agreement of the *Speaker's Rules Com. Clerk* ~~caucus leaders~~. Each caucus leader shall assign space within the area designated for that particular caucus. Spaces held in common shall be shared equally.
- 3g Power to direct Chief Clerk. Speaker's supervision subject to review by the Committee on Rules and Legislative Administration. All supervision will be with the understanding that the Chief Clerk will fully cooperate with the caucus leader opposite the Speaker.
- 4b and 4c Reference of bills to Committee shall be as designated above in the section on the Rules Committee.

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 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

Section 3

- 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

D. Appointment of Conference Committees.

Membership on conference committees shall be evenly divided between the two caucuses with Speaker and Chairman of Rules Committee appointing members of conference committees from their own caucuses.

- E. There shall be no committees created by the Speaker without agreement of the two caucus leaders. The membership of any committee so created shall be evenly divided between the DFL and IR caucuses with members selected by the respective caucus leaders.

FLOOR MANAGEMENT

1. The position of floor leader shall be held by a DFL caucus member. In addition to his other duties and responsibilities, his function shall include making all procedural motions on the floor of the House.
2. All information pertaining to floor motions and actions for a particular day shall be provided by the Speaker and Chief Clerk to both caucus leaders prior to the beginning of a particular day's session or upon receipt of the information whichever occurs first.
3. All bills and resolutions for introduction shall be delivered to the Chief Clerk at least 24 hours prior to the convening of a daily session. Immediately upon receipt, the Chief Clerk shall note on the document the time at which the matter was received. All bills and resolutions shall be introduced in the order received.
4. During a daily session, all written amendments, motions and resolutions shall be delivered to the Chief Clerk who, immediately upon receipt, shall note on the document the time at which it was received. Such motions, resolutions and amendments shall be put before the body in the order in which they were received by the Chief Clerk.
5. The Speaker shall appoint a permanent Speaker Pro Tem who shall serve in the absence of the Speaker except that the Speaker may call a member to preside as a temporary Speaker Pro Tem, but such temporary appointment shall not extend beyond adjournment for the day.

This agreement, consisting of 17 pages, has been signed and ratified
this _____ day of January, 1979.

DFL

by:

Irvin N. Anderson
DFL Caucus Leader

Harry Sieben

Carl Johnson

James Casserly

Al W. Patton

I-R

by:

Rodney Searle
I-R Caucus Leader

Douglas Carlson

Bob Anderson

Jerry Knickerbocker

Bruce Nelsen