

STATE OF MINNESOTA

SEVENTIETH SESSION - 1977

NINTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 27, 1977

The House of Representatives convened at 2:00 p.m. and was called to order by the Speaker.

Prayer was offered by the Chaplain.

The roll was called and the following members were present:

| | | | | |
|--------------|-----------|---------------|------------|--------------|
| Abeln | Clawson | Jacobs | Moe | Searles |
| Adams | Cohen | Jaros | Munger | Setzepfandt |
| Albrecht | Corbid | Jensen | Murphy | Sherwood |
| Anderson, B. | Cummiskey | Johnson | Neisen | Sieben, H. |
| Anderson, D. | Dahl | Jude | Nelsen, M. | Sieben, M. |
| Anderson, G. | Dean | Kahn | Nelson | Simoneau |
| Anderson, I. | Eckstein | Kaley | Niehaus | Skoglund |
| Anderson, R. | Eken | Kalis | Norton | Smogard |
| Arlandson | Ellingson | Kelly, R. | Novak | Spanish |
| Battaglia | Enebo | Kelly, W. | Osthoff | Stanton |
| Beauchamp | Erickson | Kempe, R. | Patton | Stoa |
| Begich | Esau | King | Pehler | Susr |
| Berg | Evans | Knickerbocker | Peterson | Swanson |
| Berglin | Ewald | Kostohryz | Petrafaso | Tomlinson |
| Berkelman | Faricy | Kroening | Pleasant | Vanasek |
| Biersdorf | Fjoslien | Kvam | Prahl | Voss |
| Birnstihl | Forsythe | Laidig | Reding | Waldorf |
| Brandl | Friedrich | Langseth | Rice | Welch |
| Braun | Fudro | Lehto | Rose | Wenstrom |
| Brinkman | Fugina | Lemke | St. Onge | Wenzel |
| Byrne | George | Mangan | Samuelson | White |
| Carlson, A. | Gunter | McCarron | Sarna | Wigley |
| Carlson, D. | Hanson | McCollar | Savelkoul | Williamson |
| Carlson, L. | Haugerud | McDonald | Scheid | Wynia |
| Casserly | Heinitz | McEachern | Schulz | Zubay |
| Clark | Hokanson | Metzen | Searle | Speaker Sabo |

A quorum was present.

Kempe, A.; Mann; Nelsen, B.; and Wieser were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. McCollar moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following reports were received and filed in the Chief Clerk's Office: State Institutions Informational Brochure from the Department of Public Welfare, The 1977-1981 Chemical Dependency Plan submitted by the Department of Public Welfare and the Proposed Biennial Budget Fiscal Year 1978 and 1979 presented by the Governor.

INTRODUCTION AND FIRST READING
OF HOUSE BILLS

The following House Files were introduced :

Brinkman, Samuelson, Eckstein, Mann and Carlson, D., introduced :

H. F. No. 179, A bill for an act relating to agriculture; establishing an avian disease research center; appropriating money.

The bill was read for the first time and referred to the Committee on Agriculture.

Haugerud, Lemke and Munger introduced :

H. F. No. 180, A bill for an act relating to health; appropriating money to fund a program of graduate training in family practice for physicians.

The bill was read for the first time and referred to the Committee on Appropriations.

Sieben, M., introduced :

H. F. No. 181, A bill for an act relating to appropriations; establishing the Father Miller memorial chapel fund.

The bill was read for the first time and referred to the Committee on Appropriations.

Anderson, G.; Anderson, D.; Haugerud; Neisen and Gunter introduced :

H. F. No. 182, A bill for an act relating to telephone companies; authorizing hearings on petitions alleging insufficient service or unreasonable expense; authorizing orders to consolidate phone companies; amending Minnesota Statutes 1976, Sections 237.081, Subdivisions 1 and 4; 237.16, Subdivision 5.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

George, Hanson, Novak, Clark and Berkelman introduced:

H. F. No. 183, A bill for an act relating to sales, consumer credit; providing for maximum finance charges and a penalty.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Cummiskey, Jaros, Metzen, Vanasek and Adams introduced:

H. F. No. 184, A bill for an act relating to commerce; requiring home solicitation salesmen to obtain licenses; providing licensing procedures; prescribing penalties; repealing Minnesota Statutes 1976, Chapter 329.

The bill was read for the first time and referred to the Committee on Commerce and Economic Development.

Kahn, Casserly, McCarron, Carlson, A., and Nelson introduced:

H. F. No. 185, A bill for an act relating to crimes; increasing penalties for certain acts related to prostitution; prohibiting solicitation on public streets; amending Minnesota Statutes 1976, Section 609.32; repealing Minnesota Statutes 1976, Sections 609.293; 609.34; 609.36 and 609.725.

The bill was read for the first time and referred to the Committee on Criminal Justice.

Kelly, R.; Tomlinson; Mangan; Suss and Begich introduced:

H. F. No. 186, A bill for an act relating to education; state board of education; permitting a teacher to serve on the board; amending Minnesota Statutes 1976, Section 121.02, Subdivision 1.

The bill was read for the first time and referred to the Committee on Education.

Mangan, McEachern, Metzen, White and Reding introduced:

H. F. No. 187, A bill for an act relating to education; braille and deaf schools; providing for appointment of advisory councils.

The bill was read for the first time and referred to the Committee on Education.

Wieser, Sherwood, Reding, Kahn and Biersdorf introduced:

H. F. No. 188, A bill for an act relating to game and fish; violation of laws or regulations; conviction and ineligibility for licensing; amending Minnesota Statutes 1976, Sections 97.40, by adding a subdivision; and 98.52, Subdivision 1.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources.

Casserly, Berglin, George, Clark and Norton introduced:

H. F. No. 189, A bill for an act relating to homeowner's fire and liability insurance; prohibiting the practice known as redlining; prescribing penalties; amending Minnesota Statutes 1976, Chapter 65A, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Abeln; Clawson; Anderson, I.; Wieser and Osthoff introduced:

H. F. No. 190, A bill for an act relating to commerce; providing for the opening of checking accounts; imposing a duty on financial institutions; providing remedies for worthless checks; providing penalties; amending Minnesota Statutes 1976, Section 609.535, Subdivisions 1, 2 and 3, and by adding subdivisions; and Chapter 549, by adding a section.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Sieben M.; Abeln; Norton; Friedrich and McCollar introduced:

H. F. No. 191, A bill for an act relating to financial institutions; regulating interest charges on certain escrow accounts; amending Minnesota Statutes 1976, Section 47.20, Subdivision 8.

The bill was read for the first time and referred to the Committee on Financial Institutions and Insurance.

Osthoff, Adams, Jacobs, McEachern and Knickerbocker introduced:

H. F. No. 192, A bill for an act relating to employment services; administration; eliminating certain provisions relating to political activity of employees; amending Minnesota Statutes 1976, Section 268.12, Subdivision 5.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Anderson, G.; Wenzel; Fjoslien; Niehaus and Jaros introduced:

H. F. No. 193, A bill for an act relating to the military; financing of armory construction; amending Minnesota Statutes 1976, Sections 193.143; 193.145, Subdivision 2; and 193.146, Subdivision 1; repealing Minnesota Statutes 1976, Section 193.1431.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Jacobs, Osthoff, Adams and Metzen introduced:

H. F. No. 194, A bill for an act proposing an amendment to the Minnesota Constitution, Article XIII, Section 5; permitting the legislature to establish a state-owned lottery in support of education.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Carlson, D.; Kelly, R.; Setzepfandt; Friedrich and Laidig introduced:

H. F. No. 195, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 4; providing staggered four year terms for the state senate.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Enebo; Sieben, M.; Jaros; Simoneau and Wynia introduced:

H. F. No. 196, A bill for an act proposing an amendment to the Minnesota Constitution, Article IV, Section 2; setting the size of the legislature at 33 senators and 99 representatives.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Clark, Tomlinson, Pleasant, Rice and Fudro introduced:

H. F. No. 197, A bill for an act relating to taxation; providing a tax credit for political contributions for a candidate for any public office; amending Minnesota Statutes 1976, Section 290.06, Subdivision 11.

The bill was read for the first time and referred to the Committee on General Legislation and Veterans Affairs.

Cummiskey; Rice; Sieben, M.; Dahl and Faricy introduced:

H. F. No. 198, A bill for an act relating to juries; removing jury duty exemptions; repealing Minnesota Statutes 1976, Sections 3.081; 192.24; 593.18; 628.43; and 628.44.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Enebo, Moe, Kroening, Hanson and Jaros introduced:

H. F. No. 199, A bill for an act relating to retirement; firemen's survivor benefits and service and disability benefits in the cities of Minneapolis, St. Paul, and Duluth; amending Minnesota Statutes 1976, Section 69.48.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Heinitz, Zubay, McCollar, McDonald and Kaley introduced:

H. F. No. 200, A bill for an act relating to state agencies; providing for an open appointment process; requiring reports from appointing authorities and the secretary of state.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Lehto, Clark, Beauchamp, Petrafeso and Biersdorf introduced:

H. F. No. 201, A bill for an act relating to the military; allowing the retention of certain rights of state and municipal officers and employees other than full pay while on military duty; requiring the payment of the difference between the military pay and the pay as an officer or employee; amending Minnesota Statutes 1976, Section 192.26, Subdivision 1.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Patton and Pehler introduced:

H. F. No. 202, A bill for an act relating to jurisdiction over federal lands; permitting acceptance by the state of retrocession of jurisdiction over federal lands by federal agencies; amending Minnesota Statutes 1976, Section 1.043.

The bill was read for the first time and referred to the Committee on Governmental Operations.

Samuelson, McCollar, Corbid, Biersdorf and Sherwood introduced:

H. F. No. 203, A bill for an act relating to public health; providing for optional fluoridation of municipal water supplies; amending Minnesota Statutes 1976, Section 144.145.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Stanton, Adams, Dahl, King and Carlson, L., introduced:

H. F. No. 204, A bill for an act relating to education; vocational training for handicapped persons; establishing a special office for handicapped persons in the department of vocational rehabilitation; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Welfare.

King; Carlson, L.; Berglin; Carlson, D.; and Samuelson introduced:

H. F. No. 205, A bill for an act relating to welfare; providing for personal allowances to disabled persons in care facilities; amending Minnesota Statutes 1976, Section 256B.36.

The bill was read for the first time and referred to the Committee on Health and Welfare.

King; Berglin; Carlson, L.; Carlson, D.; and Welch introduced:

H. F. No. 206, A bill for an act relating to welfare; increasing the personal allowance for persons in care facilities; amending Minnesota Statutes 1976, Section 256B.35, Subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Heinitz, Swanson, Forsythe, Kroening and Clark introduced:

H. F. No. 207, A bill for an act relating to ambulance services; reimbursing volunteer ambulance attendants for training school expenses; appropriating money; amending Minnesota Statutes 1976, Chapter 144, by adding a section.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Forsythe, Clawson, Scheid, Kaley and Clark introduced:

H. F. No. 208, A bill for an act relating to deaf persons; providing that deaf persons with guide dogs have the same rights and protection as blind persons with guide dogs; amending Minnesota Statutes 1976, Sections 256C.02; 256C.025, Subdivision 4; 256C.03; 290.09, Subdivision 10; and 327.095.

The bill was read for the first time and referred to the Committee on Health and Welfare.

Forsythe, Wynia, Kroening, Rose and Rice introduced:

H. F. No. 209, A bill for an act relating to education; Minnesota higher education coordinating board; providing grants-in-aid for part time students.

The bill was read for the first time and referred to the Committee on Higher Education.

Johnson, Fugina, Searle, Kroening and Sieben, M., introduced:

H. F. No. 210, A bill for an act relating to education; higher education coordinating board; authorizing the board to contract for spaces for Minnesota residents in out of state schools of optometry; authorizing the board to explore the feasibility of a regional school of optometry; appropriating money.

The bill was read for the first time and referred to the Committee on Higher Education.

Johnson, Wigley and Cummiskey introduced:

H. F. No. 211, A bill for an act relating to employment; prohibiting an employer from paying an employee's wages or salary in a form other than cash, check or negotiable instrument unless requested otherwise by the employee; providing a penalty; amending Minnesota Statutes 1976, Chapter 181, by adding a section.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Skoglund, Enebo, Metzen, Byrne and St. Onge introduced:

H. F. No. 212, A bill for an act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Enebo, St. Onge, Mangan, Carlson, L., and Pehler introduced:

H. F. No. 213, A bill for an act relating to public employment labor relations; establishing a procedure for the disposition of unfair labor practice claims; amending Minnesota Statutes 1976, Sections 15.0411, Subdivision 2; 15A.081, Subdivision 1; 179.64, Subdivisions 5 and 7; 179.67, Subdivisions 3 and 13; 179.68, Subdivision 1; 179.72, Subdivisions 1, 2, 3 and 4; and Chapter 179, by adding a section; repealing Minnesota Statutes 1976, Section 179.92, Subdivision 1a.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Peterson, Wigley, Zubay, McDonald and Nelsen, B., introduced:

H. F. No. 214, A bill for an act relating to local government; providing for a local government investment pool; prescribing duties of the state treasurer; establishing a local government investment board; defining terms.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berg; Norton; Sieben, M.; Kvam and Kalis introduced:

H. F. No. 215, A bill for an act relating to shade tree disease control; providing for municipal shade tree removal and reforestation programs; providing an appropriation; amending Minnesota Statutes 1976, Sections 18.023, Subdivisions 1, 1a, 2, 3a, 4, 7 and 11, and adding subdivisions; and 275.50, by adding a subdivision; repealing Minnesota Statutes 1976, Section 18.023, Subdivision 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Lemke and Schulz introduced:

H. F. No. 216, A bill for an act relating to Wabasha county; authorizing the sale of Buena Vista sanitarium after rejection of bids.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Brinkman and Patton introduced:

H. F. No. 217, A bill for an act relating to St. Cloud; St. Cloud metropolitan transit commission; authorizing the inclusion of parts of municipalities in the transit area; amending Laws 1969, Chapter 1134, Section 2, Subdivision 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Casserly, Kahn, Dean, Rice and Fudro introduced:

H. F. No. 218, A bill for an act relating to the city of Minneapolis and Hennepin county; providing for representation for the Minneapolis city council on the municipal building commission; amending Laws 1903, Chapter 247, Section 1.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Enebo, Tomlinson, Clark, Cummiskey and Savelkoul introduced:

H. F. No. 219, A bill for an act relating to shade tree disease control; providing for state subsidization of local shade tree disease control and reforestation programs; removing limitation on municipal subsidies for private property owners; appropriating money; amending Minnesota Statutes 1976, Section 18.023, Subdivisions 1, 1a, 3a, 4 and 6.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Jensen, White, Begich, Schulz and Sieben, H., introduced:

H. F. No. 220, A bill for an act relating to metropolitan council; changing the council district for the city of Lakeville; amending Minnesota Statutes 1976, Section 473.123, Subdivision 3.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Berglin, Kahn, Dean, Berg and Skoglund introduced:

H. F. No. 221, A bill for an act relating to intoxicating liquor; expiration date of municipal licenses; repealing Minnesota Statutes 1976, Section 340.11, Subdivision 16.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Rose, Voss, Osthoff and Hanson introduced:

H. F. No. 222, A bill for an act relating to metropolitan government; providing for election of council members; increasing the size of the council; amending Minnesota Statutes 1976, Sections 10A.01, Subdivision 5; 10A.17, Subdivision 3; 10A.20, Subdivisions 3 and 5; 10A.21, Subdivision 1; 10A.22, Subdivision 5; 10A.25, Subdivision 2; and 473.123, Subdivisions 2, 3 and by adding subdivisions.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

Anderson, G.; Vanasek; Peterson; Scheid and Gunter introduced:

H. F. No. 223, A bill for an act relating to taxation; providing that sales tax on telephone service charges be payable by person paying for the service; amending Minnesota Statutes 1976, Section 297A.01, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Mangan, Clawson, McCollar, Anderson, I., and Setzepfandt introduced:

H. F. No. 224, A bill for an act relating to taxation; providing open space property tax treatment of property used as archery and firearms ranges; amending Minnesota Statutes 1976, Section 273.112, Subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Kelly, R.; Pehler; Waldorf; McDonald and Novak introduced:

H. F. No. 225, A bill for an act relating to taxation; providing for a deduction from gross income for burglar proofing the taxpayer's residence; amending Minnesota Statutes 1976, Section 290.09, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Beigich, Setzepfandt, Battaglia, Mangan and Prahl introduced :

H. F. No. 226, A bill for an act relating to taxation; exempting home heating fuel from the sales tax; amending Minnesota Statutes 1976, Section 297A.25, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Carlson, D.; Enebo; Biersdorf and Byrne introduced :

H. F. No. 227, A bill for an act relating to taxation; providing a tax credit for persons whose Social Security benefits are reduced or required to be repaid because of excess earnings of the recipient; appropriating money; amending Minnesota Statutes 1976, Section 290.06, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Schulz, Jaros, George and Biersdorf introduced :

H. F. No. 228, A bill for an act relating to taxation; increasing amount of military pay excluded from income taxation; amending Minnesota Statutes 1976, Section 290.65, Subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Dean, Schulz, Jaros, George and Biersdorf introduced :

H. F. No. 229, A bill for an act providing for withholding of pay to residents for active service as members of the armed forces; amending Minnesota Statutes 1976, Section 290.92, Subdivisions 1 and 16.

The bill was read for the first time and referred to the Committee on Taxes.

Casserly, Kroening, Brandl, Tomlinson and Savelkoul introduced :

H. F. No. 230, A bill for an act relating to state aids; providing for payment to cities of revenue lost because of certain tax exempt real property; appropriating funds.

The bill was read for the first time and referred to the Committee on Taxes.

Jude, McEachern, Lemke, Fudro and Kvam introduced:

H. F. No. 231, A bill for an act relating to transportation, particular uses of highway right of way; amending Minnesota Statutes 1976, Section 160.27, Subdivision 2.

The bill was read for the first time and referred to the Committee on Transportation.

Cummiskey, Vanasek, Metzen and Wieser introduced:

H. F. No. 232, A bill for an act relating to highways; providing protective equipment for motorcyclists; amending Minnesota Statutes 1976, Section 169.974, Subdivision 4.

The bill was read for the first time and referred to the Committee on Transportation.

Kelly, R.; Clark; Neisen; Novak and Wigley introduced:

H. F. No. 233, A bill for an act relating to highway traffic regulations; prohibiting the manufacture, sale or purchase of certain equipment, and the installation or use thereof in motor vehicles; providing for the seizure, confiscation and disposition thereof; prescribing penalties; amending Minnesota Statutes 1976, Chapter 169, by adding a section.

The bill was read for the first time and referred to the Committee on Transportation.

Kelly, R.; Tomlinson; Novak; Osthoff and Jude introduced:

H. F. No. 234, A bill for an act relating to motor vehicles; reducing the tax on the purchase of dealer plates; requiring notice to the buyer of handling fee for car registration; repealing Sunday sale prohibition; amending Minnesota Statutes 1976, Section 168.27, and by adding a subdivision; repealing Minnesota Statutes 1976, Section 168.275.

The bill was read for the first time and referred to the Committee on Transportation.

HOUSE ADVISORIES

Pursuant to rule 5.3, the following House Advisory was introduced:

Pehler, Vanasek and Stanton introduced:

H. A. No. 8, A proposal on tax incentive financing for railroads.

The advisory was referred to the Committee on Taxes.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker :

I hereby announce the adoption by the Senate of the following House Concurrent Resolution, herewith returned:

House Concurrent Resolution No. 3,

A house concurrent resolution relating to adjournment.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker :

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 11.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 11, A bill for an act authorizing the city of Kenyon to construct, furnish and equip a medical clinic, to lease the medical clinic, to issue general obligation bonds for such purpose; validating action heretofore taken.

The bill was read for the first time and referred to the Committee on Local and Urban Affairs.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Anderson, I., for the Committee on Rules and Legislative Administration, offered the following report on the proposed permanent rules of the House for the Seventieth Session:

PERMANENT RULES OF THE HOUSE

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ARTICLE I — DAILY BUSINESS

1.1 **CONVENING OF THE HOUSE.** Unless otherwise ordered, regular sessions of the House shall convene at two o'clock p.m. The Speaker shall take the chair at the hour at which the House convenes and the House shall then be called to order. After prayer by the Chaplain or a brief meditation, a roll of members shall be called and the names of members present and members excused shall be entered in the Journal of the House.

1.2 **READING OF THE JOURNAL.** A quorum being present, the Journal of the preceding day shall be read by the Chief Clerk

unless otherwise ordered. The House may correct any errors in the Journal of the preceding day.

1.3 ORDER OF BUSINESS. After the reading of the Journal, the order of business of the day shall be:

- (1) Presentation of petitions or other communications.
- (2) Reports of standing committees.
- (3) Second reading of House bills.
- (4) Second reading of Senate bills.
- (5) Reports of select committees.
- (6) Introduction and first reading of House bills.
- (7) Consideration of messages from the Senate.
- (8) First reading of Senate bills.
- (9) Consent Calendar.
- (10) Calendar for the day.
- (11) General Orders.
- (12) Motions and resolutions.

1.4 SECOND READING OF BILLS. Every bill shall require a second reading.

Except as otherwise ordered, every bill requiring the approval of the Governor shall, after a second reading, be considered in a Committee of the Whole before it shall be finally acted upon by the House.

1.5 COMMITTEE OF THE WHOLE. The Committee of the Whole is a committee of the entire membership of the House. The Speaker may appoint another member as chairman to preside over the Committee of the Whole.

When the House arrives at the General Orders of the Day, it shall resolve itself into a Committee of the Whole to consider bills on General Orders.

A bill considered in the Committee of the Whole shall be reported and then debated by sections, with the title considered last. All amendments shall be typewritten and five copies shall be submitted to the Chairman who shall report them to the House.

1.6 RULES TO APPLY TO COMMITTEE OF THE WHOLE. The Rules of the House shall be observed in the Committee of the Whole so far as may be applicable except that the previous question shall not be forced or speaking limited.

Upon demand of 15 members, the ayes and nays shall be called, the question voted on, and the ayes and nays recorded in the Journal of the House.

In the Committee of the Whole no amendment increasing the amount of any appropriation shall be passed without the ayes and nays recorded in the Journal of the House.

A motion that the committee arise shall always be in order and shall be decided without debate.

Upon the request of any member, a bill shall be excepted from the report of the Committee of the Whole. Only a motion to strike an amendment to the bill adopted in the Committee of the Whole or to amend the recommendation of the Committee of the Whole concerning the disposition of the bill shall be in order.

1.7 GENERAL ORDERS OF THE DAY. The Chief Clerk at the direction of the Speaker shall prepare the General Orders of the Day, which is a list of all bills which have not been made Special Orders or placed on the Consent Calendar, numbered according to their order at second reading. Unless otherwise ordered by a majority of the Committee, items on General Orders shall be taken up in numerical order.

The Chief Clerk shall see that a copy of each bill printed under the Rules or Orders of the House is placed in each member's file, which is to be kept at his desk in the chamber, at least 24 hours before the bill shall be considered in the Committee of the Whole. Under the first order of business each day, the Chief Clerk shall report to the House which bills he has placed in the files.

If a bill is progressed three times it shall be placed at the end of General Orders unless otherwise ordered by majority vote.

Except during the last five days in any year on which a bill may be passed, a bill amended in the Committee of the Whole shall not be given its third reading until it is engrossed and reproduced as amended.

1.8 THIRD READING OF BILLS. No amendment shall be received on the third reading without the unanimous consent of the House, except to fill blanks or to amend titles.

At any time prior to its passage any bill or resolution may be committed or recommitted by a majority vote of the whole

House. If the committee, other than the Committee of the Whole, to which it was committed or recommitted reports an amendment on it, it shall again be given its second reading, considered in Committee of the Whole, given its third reading and placed upon its final passage.

1.9 SPECIAL ORDERS. A bill may be made the Order of the Day for a special time and be placed upon a separate list known as "Special Orders".

The Committee on Rules and Legislative Administration may by committee report designate as a Special Order any bill which has had its second reading.

Any member may move to make a bill a Special Order by giving notice at least two legislative days in advance of and specifying the day on which he will so move. The notice shall include the number and title of the bill and the day and time certain for the Special Order. Only the member giving such notice, or another member designated by him in writing to the Speaker, may make the motion for the Special Order. A two-thirds vote of the whole House on such motion is required to make a bill a Special Order.

The time set for the motion may not be extended, and failure to make the motion on the specified day forfeits the right to make the motion.

A motion to make a bill a Special Order, when made according to the procedures herein prescribed, shall be a privileged motion, shall take precedence over all other motions except a motion to adjourn or to set the time to adjourn and questions of personal privilege, and may be made at any time on the day designated in the notice. A three-fourths vote of the whole House is required to suspend the motion.

Any Special Order, or any part of it, may be continued or postponed by two-thirds vote of the whole House at the time of such Special Order.

When the time arrives for the consideration of any Special Order, the House shall consider each bill upon the Special Order in the order in which it is listed. After consideration it shall immediately be read the third time and placed upon final passage.

1.10 TAX AND APPROPRIATION BILLS GIVEN PRECEDENCE. At any time after April 25, 1977, any bill relating to taxes or raising revenue shall be acted upon whenever requested by the Chairman of the Committee on Taxes, and any appropriation bill shall be acted upon whenever requested by the Chairman of the Committee on Appropriations.

1.11 CONSENT CALENDAR. Any bill of a non-controversial nature for which the committee report recommends placement upon the Consent Calendar shall be given its second reading after the report is adopted and placed upon the Consent Calendar. The bill shall be printed and placed in the members' files at least one day before it can be considered. The bill shall be placed upon the Consent Calendar in the order in which it is given its second reading.

The Consent Calendar shall immediately precede the order of business known as "Calendar for the Day". Every bill on the Consent Calendar shall be debated, given its third reading and voted upon, provided, however, that at any time prior to third reading, ten members may object to any bill as being controversial. Any bill so objected to shall be stricken from the Consent Calendar and be immediately returned to General Orders, taking its place in the usual order.

1.12 SUSPENSION OF RULES TO ADVANCE A BILL. Every bill shall be reported on three different days, except that in case of urgency, a two-thirds majority of the whole House may suspend this Rule. A motion for suspension of the Rules to advance a bill for consideration out of its regular order is in order under the order of business "Motions and Resolutions" or at any time the bill is before the House. The motion must be presented to the Speaker in writing and must state the present position of the bill.

1.13 MINORITY REPORTS. Any minority report shall be made separately from the majority report and shall be considered before the majority report. If the minority report is adopted the majority report shall not be considered. If the minority report is not adopted the majority report shall then be considered.

1.14 COMMITTEE REPORT LAID OVER. The report of any committee may be laid over one day and printed in the Journal, if so ordered by the House.

1.15 RECALLING BILL FROM COMMITTEE. Except after the deadline for committee reports on bills originating in the House, any bill or resolution may be recalled from any committee at any time by majority vote of the whole house, be given a second reading and be advanced to General Orders.

1.16 TIME LIMIT FOR CONSIDERATION OF BILLS. If 20 legislative days after a bill has been referred to committee (other than a bill for appropriations) no report has been made upon it by the committee, its chief author may request that it be returned to the House and the request shall be entered in the Journal for the day. The committee shall have ten calendar days thereafter in which to vote upon the bill requested. If the committee fails to vote upon it within the ten days, the chief author may, at any time within five calendar days thereafter, present a written de-

mand to the Speaker for its immediate return to the House. The demand shall be entered in the Journal for that day and shall constitute the demand of the House. The bill shall then be considered to be in the possession of the House, given its second reading and placed at the foot of General Orders.

Such bill is subject to re-reference by the House. If the motion to re-refer is made on the day of the demand or within one legislative day thereafter, the motion shall take precedence over all other motions except privileged motions and shall be in order at any time.

After May 20, 1977, the House shall not act on bills other than those recommended by conference committee reports or the Committee on Rules and Legislative Administration, and those bills contained in messages from the Senate.

1.17 DISPOSITION OF SENATE BILLS. Any Senate File received by the House, accompanied by a message announcing its passage by the Senate, shall be referred to the appropriate standing committee. However, if a Senate File is received which is stated by a member to be identical to a House File already reported by a standing committee of the House and placed on General Orders, Calendar, Consent Calendar, or Special Orders, the Senate File shall be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical with the House File, the Senate File may by majority vote be substituted for the House File and take its place. The fact that the bills are identical shall be entered in the Journal and the House File is then considered withdrawn.

Any Senate File which has been amended on the floor of the House, except at time of final passage, and any Senate File which has been reported to the House with amendments by a House standing committee, shall be unofficially engrossed and reprinted by the Chief Clerk. Amendments to unofficial engrossments of a Senate File may be offered by members on the floor of the House but shall not be offered in standing committees.

1.18 RECORDED FLOOR PROCEEDINGS. All proceedings on the floor of the House shall be recorded on magnetic tape or similar recording device under the direction of the Chief Clerk. Two copies of each tape shall be delivered to the Director of the Legislative Reference Library and there maintained on file for use by any member of the public in accordance with the rules of the Legislative Reference Library. At the end of each biennium, the Director of the Legislative Reference Library shall deliver one copy of each tape to the Director of the Minnesota Historical Society.

Any person may obtain a copy of any such tape during the biennium in which it is recorded upon payment of a fee deter-

mined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

Discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

ARTICLE II — VOTING

2.1 AUTHORIZING ELECTRIC VOTING SYSTEM. Except for a vote upon elections or the overriding of a Governor's veto, any vote may be taken by means of the electric voting system which shall be under the control of the Speaker of the House.

2.2 CALL OF THE HOUSE. Ten members may demand a call of the House at any time except after voting has commenced. When such call is demanded, the doors shall be closed, the roll shall be called, the absent members shall be sent for, and no member may be permitted to leave until the roll call is suspended or completed. During the roll call, no motion shall be in order except a motion pertaining to matters incidental to the call. Proceedings under the roll call may be suspended by a majority vote of the whole House. After the roll call is suspended or completed the Sergeant at Arms shall not permit any member to leave the Chamber unless excused by the Speaker. A call of the House may be lifted by a majority vote of the whole House.

2.3 DEMANDING YEAS AND NAYS. Yeas and Nays shall be ordered without demand upon final passage of bills and upon adoption of resolutions or motions directing the payment of money. In all other cases the yeas and nays shall be ordered only upon demand of 15 members.

2.4 EXPLAINING OR CHANGING VOTE. No member shall be allowed to explain his vote or discuss the question while the yeas and nays are being taken, nor be allowed to change his vote after the yeas and nays have been announced from the chair by the Speaker.

2.5 EVERY UNEXCUSED MEMBER TO VOTE. Any member who is immediately interested in the question being voted on shall not vote.

Every other member present before a vote is declared from the chair shall vote for or against the matter before the House, unless the House excuses him from voting.

When a member declines to vote on a call of his name, he shall be required to state his reasons for so declining. After the vote has been taken but before the chair has announced the vote, he shall submit to the House the question, "Shall the member, for the reasons stated, be excused from voting?" which shall be decided without debate. Any other proceedings in reference thereto shall take place after announcement of the vote.

ARTICLE III — MOTIONS AND AMENDMENTS

3.1 MOTIONS. No motion shall be debated until after it is stated by the Speaker. The Speaker may require any motion to be written.

After a motion has been stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before amendment or decision. Unless a motion, resolution or amendment is withdrawn on the day it is made, it shall be entered in the Journal, together with the name of the member offering it.

3.2 PRECEDENCE OF MOTIONS. When a question is under debate, no motion shall be received except the following, the first four of which shall be decided without debate:

- (1) To fix the time of adjournment.
- (2) To adjourn.
- (3) To lay on the table.
- (4) For the previous question.
- (5) To commit.
- (6) To postpone to a day certain.
- (7) To amend.
- (8) To postpone indefinitely.

The motions shall have precedence in the order listed. However, if the motion for the previous question has been seconded and the main question ordered, the motion to lay on the table shall not be in order.

3.3 MOTION TO ADJOURN. A motion to adjourn shall always be in order except during roll call.

When a motion to adjourn is made it shall be in order for the Speaker, before putting the question, to permit any member to state reasons which would seem to render adjournment improper at that time. Such a statement shall not be debatable and shall be limited to not over two minutes.

3.4 MOTION FOR RECONSIDERATION. When a question has been decided either in the affirmative or negative, it shall be in order for any member who voted with the prevailing side to move its reconsideration, provided that such motion is made either on the same day the vote was taken or within the following two days

of actual session of the House. A motion for reconsideration shall take precedence over all other questions except the motion to adjourn and the notice of intention to move reconsideration. Such motion or notice shall not be in order if the document, bill, resolution, message, report or other official action on which the vote was taken shall have left the possession of the House.

When a member gives notice of intention to move reconsideration of the final action of the House on any bill, resolution, message, report or other official action, the Chief Clerk shall retain the same until after the matter is disposed of or the time has expired during which the motion for reconsideration can be made.

On the last day allowed for the motion to reconsider, it shall be in order for any member who voted on the prevailing side to make the motion, unless the matter has been already disposed of.

A motion for reconsideration having been voted upon and lost shall not be renewed.

The notice of intention to move reconsideration shall not be in order after May 2, 1977 through May 23, 1977.

3.5 ORDER OF PUTTING QUESTION. Except in the case of privileged questions, all questions, whether in committee or in the House, shall be put in the order in which they are moved. When filling blanks, a motion for the largest sum or the longest time shall be put first.

3.6 DIVISION OF A QUESTION. Any member may request the division of a question which contains several points. A motion to strike out and insert shall not be divisible. If a motion to strike out is lost it shall not preclude another motion to amend or to strike out and insert.

3.7 THE PREVIOUS QUESTION. The motion calling for the previous question must be seconded by 15 members. If the motion for the previous question is ordered by a majority of members present, it shall have the effect of cutting off all debate and bringing the House to direct vote upon the question or questions.

The previous question may be moved and ordered upon a single motion, a series of motions allowable under the Rules, or an amendment or amendments; or it may include all authorized motions or amendments, including a vote on final passage of a bill.

On a motion for the previous question, but prior to its being ordered, a call of the House shall be in order. After a majority has ordered the previous question, no call shall be in order prior to the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until disposed of by taking a vote either on the question or in some other manner.

All incidental questions of order arising after a motion is made for the previous question and prior to the vote on the main question shall be decided without debate.

3.8 UNANIMOUS CONSENT TO MAKE A MOTION. Whenever unanimous consent to make a motion is requested by a member, the member as a part of such request shall state briefly the purpose of such motion and the subject matter involved.

3.9 MOTIONS AND PROPOSITIONS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under guise of its being an amendment.

3.10 AMENDMENT NOT TO ANNEX ANOTHER BILL. Except in a standing committee no bill or resolution shall at any time be amended by annexing or incorporating any other bill or resolution pending before the House.

3.11 RESOLUTIONS AND MOTIONS INVOLVING EXPENDITURE OF MONEY. Any resolution or motion involving the expenditure of money out of the legislative expense fund shall be referred to the Committee on Rules and Legislative Administration before being acted upon by the House. A majority vote of the whole House, determined by a roll call, is required to pass any such resolution or motion.

3.12 AMENDMENTS TO APPROPRIATION BILLS. No amendment increasing the amount or amounts carried by any appropriation bill shall be declared passed until voted for by a majority of the whole House.

3.13 MOTION TO RESCIND. The motion to rescind shall not be in order at any time in any proceeding in the House or in any committee of the House.

3.14 SUSPENSION OR AMENDMENT OF THE RULES. The concurrence of two-thirds of the whole House is required to suspend, alter, or amend any Rule of the House, except that any amendment to the Rules reported by the Committee on Rules and Legislative Administration may be adopted by a majority of the whole House.

Except as provided in Rule 1.12, a motion to suspend, alter, or amend any Rule of the House must be made under the order of business "Motions and Resolutions". If the motion is made at any other time, unanimous consent is required before the Speaker can entertain the motion.

A motion to suspend the Rules, together with the subject matter to which it pertains, is debatable, but the previous question may be applied to the motion.

ARTICLE IV — DEBATE AND DECORUM

4.1 ABSENCE OF MEMBERS AND OFFICERS. Unless illness or other sufficient cause prevents attendance, no member or officer of the House shall absent himself from any session of the House without first having obtained from the Speaker permission to be absent.

4.2 DUTIES OF MEMBERS. Members shall keep their seats until the Speaker announces adjournment.

Every member, before speaking, shall rise from his seat and respectfully address the Speaker and shall not speak further until recognized by the Speaker. When two or more members rise at the same time, the Speaker shall designate the member to speak first.

4.3 QUESTIONS OF ORDER. If any member of the House transgresses the Rules, either in speaking or in any other way, the Speaker shall, or any member may, call him to order. A member so called to order shall immediately sit down unless another member moves to permit him to explain. In either case, the House, if appealed to, shall decide without debate. Only if the decision is in favor of the member called to order shall he be at liberty to proceed. A member called to order shall be liable to censure or such other punishment as the House may deem proper.

4.4 ORDER IN DEBATE. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every other member wishing to speak on the pending question has had an opportunity to do so.

4.5 NOTICE OF INTENTION TO DEBATE A RESOLUTION. Any member may give notice of his intention to debate a resolution. Such notice may be given at any time before the vote is taken on the resolution. If such notice is given, the resolution shall be laid over one day without debate or any other action.

4.6 OFFENSIVE WORDS IN DEBATE. If any member is called to order for offensive words in debate, the member calling him to order shall report the words to which exception is taken and the Clerk shall record them. No member shall be held to answer or be subject to censure of the House for any language used in debate if exception is not taken before any other member has spoken or any other business has taken place.

4.7 ORDER DURING SESSION. No member shall walk out of or across the Chamber when the Speaker is putting the question.

No member shall engage in private conversation while another member is speaking or pass between the speaking member and the chair.

4.8 NO ONE TO REMAIN BY THE CLERK'S DESK. No member or other person shall remain by the clerk's desk while the yeas and nays are being called.

4.9 WHO MAY BE ADMITTED TO THE FLOOR. No person shall be admitted within the House Chamber or retiring room, except members themselves, properly authorized employees, the Chief Executive and ex-governors of the State of Minnesota, members of the Senate, heads of departments of the state government, judges of the Supreme and District Courts, members of Congress, properly accredited representatives of radio and television stations, newspapers and press associations, as herein provided for, and none other. When a former member of Congress or the Minnesota Legislature or any other person is issued a permit by the Speaker good for the day he shall be provided with a seat near the Speaker's rostrum, and at no time shall a conversation be carried on so as to disturb the business of the House. Before issuing the permit, the Speaker shall satisfy himself that the person does not seek the floor of the House for the purpose of influencing decisions of the House.

The alcoves shall be kept for the use of members only, and the Sergeant at Arms shall keep them cleared.

It shall not be in order for the Speaker to entertain a request for the suspension of this Rule, or to present from the Chair the request of any member for unanimous consent unless an extraordinary condition exists, in which event he may consent to entertain a motion for its suspension.

4.10 PRESENTATION OF PETITIONS. Any petition, memorial or other paper presented to the House shall include the name of the member introducing it and a brief description of its contents and shall be presented by the Speaker, who shall state briefly its contents.

4.11 NO SMOKING IN HOUSE CHAMBER. No member of the House of Representatives or officer of the House, or other person, shall be permitted to smoke in the House Chamber except in designated smoking areas, confined only to the front desk and the legislative retiring room. There shall be no smoking in the visitors' section of the galleries.

ARTICLE V — BILLS

5.1 BILL FORM. No bill shall be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with the Joint Rules of the House and Senate

and the Rules of the House. Approval as to form shall be endorsed on the bill by the Revisor of Statutes.

5.2 INTRODUCTION OF BILLS AND RESOLUTIONS. A bill or resolution offered for introduction shall be placed in the hands of the Speaker at least 24 hours prior to the convening of the daily session. Every bill shall be introduced in quadruplicate and each copy shall contain the signature of the member or name of the committee introducing it. No bill, memorial or resolution shall have more than five authors. Any memorial shall be introduced in the same manner and take the same course as a bill. No resolution shall authorize the expenditure of monies from any source other than the legislative expense fund.

5.3 ADVISORY BILLS. An advisory bill may be introduced by any member in the same manner as a bill except that the requirements of Rule 5.1 shall not apply.

Each advisory bill shall be typewritten on a form provided by the Chief Clerk. It shall have a title not exceeding 12 words in length and shall contain a specific proposal for the initiation, termination or alteration of a law or program of the state or any of its subdivisions. It need not be drafted in a form appropriate for enactment into law.

An advisory bill shall be referred by the Speaker to an appropriate standing committee. It may be considered only in committee and shall not be given a second reading or be otherwise considered by the House, except that the committee may report its recommendation for re-referral to another committee.

5.4 FIRST READING AND REFERENCE OF BILLS. Each bill and resolution shall be reported and given its first reading upon its introduction. No bill or resolution shall be objected to upon its introduction.

Except as provided in Rule 5.5 each bill or resolution shall, after first reading, be referred by the Speaker to the appropriate standing committee.

Except as otherwise provided in these Rules, after a bill has been referred by the Speaker, a majority vote of the whole House shall be required for a re-referral or recommittal of the bill by the House.

5.5 COMMITTEE BILLS. A committee bill shall be read for the first time and may be referred by the Speaker to any standing committee. If it is not so referred, it shall be laid over one day. It shall then be read for the second time and placed upon General Orders, or, if recommended by the Committee, upon the Consent Calendar.

5.6 PRINTING OF BILLS. Every bill shall be printed after it has been given its second reading. A bill may be printed at any other time a majority of the House so orders.

5.7 BILLS CARRYING AN APPROPRIATION. Any bill, whether originating in the House or Senate, carrying an appropriation, or which may involve any present or future financial obligation on the part of the State, after being reported to the House, shall be referred, or re-referred, as the case may be, to the Committee on Appropriations for action by that committee. Any committee, other than the Committee on Appropriations, to which such bill has been referred shall note in its report that the bill carries an appropriation.

5.8 BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE. Any bill, whether originating in the House or the Senate, which creates any new department, agency, commission, board or bureau, or which substantially changes or alters the organization of any department or agency thereof of state government, or substantially changes, alters, vests or divests official rights, powers, or duties of any official department or agency of the state government of any institution under its control, after being reported to the House, shall be referred, or re-referred as the case may be, to the Committee on Governmental Operations for action by that committee. Any committee other than the Committee on Governmental Operations to which such bill is referred shall, in its report, recommend re-referral to the Committee on Governmental Operations.

ARTICLE VI — COMMITTEES—POWERS AND DUTIES

6.1 COMMITTEES. Standing committees of the House shall be appointed by the Speaker as follows:

Agriculture

Appropriations

Divisions: Education

Health, Welfare and Corrections

State Departments

Semi-State

Commerce and Economic Development

Criminal Justice

Education

Division: School Aids

Environment and Natural Resources

Financial Institutions and Insurance

General Legislation and Veterans Affairs

Governmental Operations

Health and Welfare

Higher Education

Labor-Management Relations

Local and Urban Affairs

Rules and Legislative Administration

Taxes

Transportation

6.2 COMMITTEE MEMBERSHIP. No less than 30 days prior to the opening of a regular session of the Legislature, the Speaker-designate shall provide the minority group with a list of the standing committees proposed for the session. He shall also designate the number of minority members to be appointed to each committee and may require general membership guidelines to be followed in the selection of committee members.

If the minority leader submits to the Speaker-designate, at least 15 days prior to the opening of the session, a list of proposed committee assignments for the minority group, which complies with the numbers and guidelines provided, the Speaker shall make such proposed assignments with the purpose of attaining proportionate representation on the committees for the minority group.

No committee of the House shall have exclusive membership from any one profession, occupation or vocation.

6.3 COMMITTEE MEETING SCHEDULE. The Speaker shall prepare a schedule of committee meetings, fixing as far as practicable the day of the week and the hour for the regular meeting time of each committee. The schedule of committee meetings shall officially be made available to the news media. The chairman of any committee holding a special meeting or making a change in the regular schedule of meetings shall give written notice which may be announced from the desk and shall be posted on the bulletin board at least one day in advance of the change.

The chairman of each committee or subcommittee shall as far as practicable give three days notice of any meeting. The notice shall include the date, time, place and agenda for the meeting.

6.4 COMMITTEE PROCEDURES. Meetings of all committees of the House shall be open to the public.

A majority of members of any standing or special committee shall constitute a quorum.

The Rules of the House shall be observed in the committees wherever they are applicable.

Any member of any committee may demand a roll call on any bill, resolution or amendment before the committee. Only upon such demand being made shall the roll be called and the vote of each member on the bill, resolution or amendment be recorded, together with the name of the member demanding the roll call.

A committee may reconsider any action so long as the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side in order to move reconsideration.

At any time during the period in which a standing committee has possession of a bill the members of the committee may, by majority vote, order the preparation of a Revisor's Analysis of the bill. The Revisor's Analysis shall consist of a concise description of the terms of the bill and shall be provided by the Revisor of Statutes. If the Revisor's Analysis is ordered at the time the bill is given committee approval, the analysis shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk.

At any time during the period in which a standing committee has possession of a bill, the members of the committee may, by majority vote, order the preparation of a Fiscal Note. If a Fiscal Note is ordered at the time the bill is given committee approval, the Fiscal Note shall accompany the committee report to the House and shall thereafter be attached to the printed bill by the Chief Clerk. No Fiscal Note shall be ordered for any bill given committee approval within ten days of the end of a regular session in any year.

Neither a Revisor's Analysis nor a Fiscal Note shall be considered a part of a bill or any indication of legislative intent.

6.5 SUBCOMMITTEES. The chairman of a committee shall appoint the chairman and members of each subcommittee. The chairman or the committee may refer bills to subcommittee. Any subcommittee may make such investigation or exercise such authority as is delegated to it by the chairman or the committee.

6.6 COMMITTEE RECORDS. The chairman or acting chairman of each standing committee shall cause a record to be kept, in the form prescribed by the Committee on Rules and Legislative

Administration, which shall include the record of each bill referred to the committee and the minutes of the committee. The minutes shall include:

- a. The time and place of each hearing or meeting of the committee;
- b. Committee members present;
- c. The name and address of each person appearing before the committee, together with the name and address of the person, association, firm or corporation in whose behalf the appearance is made;
- d. The language of each motion, the name of the committee member making the motion, and the result of any vote taken upon the motion, including the ayes and nays whenever a roll call is demanded;
- e. The date on which any subcommittee is created, the names of its members and the bills referred to it;
- f. The record of each subcommittee meeting, including the time and place of the meeting; members present; the name of each person appearing before the subcommittee, together with the name of the person, association, firm or corporation in whose behalf the appearance is made; and the language of each motion, together with the name of the member making the motion, and the result of any vote taken upon the motion, including the ayes and nays whenever a roll call is demanded;
- g. Other important matters related to the work of the committee.

The minutes shall be approved at the next regular meeting of the committee.

Copies of the minutes, after approval by the committee, shall be filed with the Chief Clerk and shall be open to public inspection in the Chief Clerk's office. At the end of the biennium they shall be delivered, together with the other committee records, to the Director of the Legislative Reference Library, where they shall remain open for public inspection during regular office hours. A copy of any page of any committee minutes may be obtained upon payment of a fee determined by the Chief Clerk to be adequate to cover the cost of preparing the copy.

The magnetic tape recording of any committee meeting shall be retained by the chairman until the minutes of that meeting have been approved by the committee. The recording or a copy of the recording shall then be filed with the Director of the Legis-

lative Reference Library, where it shall be maintained for a period of two years from the date of filing for use by any person in accordance with the rules of the Legislative Reference Library. After expiration of the two-year period the recording may be erased and the tape may be reused.

Any person may obtain a copy of such tape during the period in which it is maintained in the Legislative Reference Library upon payment of a fee determined by the Chief Clerk to be sufficient to cover the cost of the copy. Testimony and discussion preserved under this rule is not intended to be admissible in any court or administrative proceeding on an issue of legislative intent.

6.7 COMMITTEE REPORTS. The chairman of a standing committee reporting to the House the action taken by his committee upon any bill referred to it shall do so upon the form provided for such reports. Each bill shall be reported separately and the report shall be adopted or rejected without amendment.

The report shall contain the action taken by the committee and the date of such action and shall be authenticated by the signature of the chairman.

Before a committee reports favorably upon a bill, the chairman shall see that the form of the bill conforms to the Joint Rules of the House and Senate and these Rules.

Except during the last seven legislative days in any year, the committee report and any minority report shall be placed in the hands of the Chief Clerk at least four hours prior to the convening of the daily session.

The Committee on Rules and Legislative Administration may report at any time.

If a majority of the members of a standing committee finds a bill referred to the committee to be of a non-controversial nature, the report to the House may recommend that the bill be placed upon a separate calendar to be known as the Consent Calendar.

6.8 COMMITTEE BILLS. Any standing or special committee of the House may introduce a bill as a committee bill on any subject within its purview.

6.9 SUBSTITUTION OF BILLS. No standing or special committee nor any of its members shall report a substitute for any bill referred to the committee if the substitute relates to a different subject, is intended to accomplish a different purpose, or would require a title essentially different from that of the original bill. Whenever the House is advised that a substitute bill reported

to the House is in violation of this rule, the report shall not be adopted.

6.10 SPECIAL COMMITTEES. Any special committee to which a matter has been referred shall in all cases report to the House a statement of facts and its opinions and conclusions thereon.

6.11 CONFERENCE COMMITTEES. A conference committee may report at any time. No committee except a conference committee or the Committee on Rules and Legislative Administration shall sit during any daily session of the House without leave.

6.12 COMMITTEE BUDGETS AND EXPENSES. The Committee on Rules and Legislative Administration shall establish a budget for each standing committee of the House for expenses incurred by the committee, its members, or its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker shall not be charged against the budget. No committee shall incur expenses in excess of its authorized budget.

Employees shall be reimbursed for actual expenses in the same manner as state employees.

During sessions, for travel away from the Capitol members shall be reimbursed for actual expenses in the same manner as state employees in addition to per diem expense allowances.

All charges against the committee budget must be approved by the chairman before payment is made.

ARTICLE VII — OFFICERS OF THE HOUSE

7.1 DUTIES AND PRIVILEGES OF THE SPEAKER. The Speaker shall preside over the House and shall have all the powers and be charged with all the duties of the presiding officer.

He shall preserve order and decorum and he or the chairman of the Committee of the Whole may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as provided by rule or law, he shall have general control of the chamber of the House and of the corridors, passages and rooms assigned to the use of the House.

He shall sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. He shall sign all abstracts for the payment of money out of the legislative expense fund of the House; but no money shall be paid out of said fund unless the abstract is also signed by the Chief Clerk of the House.

He shall appoint the Chief Sergeant at Arms or shall designate him from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

7.2 SPEAKER PRO TEM. The Speaker may call a member to preside as Speaker pro tempore, but such temporary appointment shall not extend beyond adjournment for the day. In the absence of the Speaker, the Committee on Rules and Legislative Administration shall select a member to preside until the return of the Speaker.

7.3 DUTIES OF CHIEF CLERK. The Chief Clerk shall have general supervision of all clerical duties pertaining to the business of the House. He shall perform under the direction of the Speaker all the duties pertaining to his office and shall keep records showing the situation and progress of all bills, memorials and resolutions.

Neither the Chief Clerk nor any of his assistants or employees shall permit any records or papers belonging to the House to be removed from their custody other than in the regular course of business. The Chief Clerk shall report any missing records or papers to the Speaker.

7.4 ENGROSSMENT AND ENROLLMENT. The Chief Clerk of the House shall have supervision over the engrossment and enrollment of bills. He shall cause to be kept a record by file number of the bills introduced in the House which have passed both houses and been enrolled.

7.5 BUDGET AND PURCHASING. The Chief Clerk shall prepare a biennial budget for the House which must be approved by the Committee on Rules and Legislative Administration before it is submitted to the Committee on Appropriations.

The Chief Clerk shall be the agent of the House of Representatives for the purchase of supplies. He shall seek the lowest possible prices and shall file timely reports of expenditures made with the Committee on Rules and Legislative Administration.

7.6 CLERICAL CORRECTIONS TO BILLS. Minor clerical errors in any bill, memorial, or resolution, such as errors in spelling or grammar, or the incorrect use of one word for another or the incorrect numbering of references, whether occurring in the original document or any amendment to it, shall be corrected as a matter of course by the Chief Clerk, upon the approval of the chairman of any committee to which it was referred.

If the enacting clause of a bill has been omitted, the Chief Clerk shall insert the clause before passage of the bill.

Webster's New International Dictionary shall be the standard authority in matters pertaining to this rule.

7.7 BULLETIN BOARD. The Chief Clerk shall prepare a bulletin board upon which shall be posted a list of committee and subcommittee meetings and any other announcements or notices the House may require.

7.8 INDEX. The Index Clerk, under the supervision of the Chief Clerk, shall prepare an index in which bills may be indexed by topic, number, author, subject, section of the code amended, committees, and any other subject that will make it a complete and comprehensive index. The Index shall be open for public inspection at all times during the session and shall be printed in the permanent Journal of the House.

7.9 DUTIES OF THE SERGEANT AT ARMS. It shall be the duty of the Sergeant at Arms to carry out all orders of the House or the Speaker and to perform all other services pertaining to the office of Sergeant at Arms, including maintaining order in the chamber and supervising entering and exiting from the Chamber and the prompt delivery of messages.

ARTICLE VIII — EMPLOYEES OF THE HOUSE

8.1 APPOINTMENT OF EMPLOYEES. The Committee on Rules and Legislative Administration shall designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of all such appointments, including positions and compensation, shall be kept in the office of the Chief Clerk and shall be open for inspection by the public.

The Committee on Rules and Legislative Administration, by resolution, shall establish the procedure for filling vacancies when the legislature is not in session.

Any employee of the House may be assigned to other duties, suspended or discharged at any time by the Committee on Rules and Legislative Administration.

No employee of the House shall receive any pay, compensation, gratuity or reward over and above the salary named for the position except upon approval of a three-fourths vote of the whole House.

8.2 DUTIES OF EMPLOYEES. No employee shall make or permit to be made any copy or copies of any journal, bill, paper, file, record, or document in his possession or custody or to which he has access except on request of a member of the House. No person other than a member of the House shall furnish or deliver any journal, bill, paper, file, record, document, or copy thereof to any person other than a member of the House except by or through the Chief Clerk with the approval or under the direction of the Committee on Rules and Legislative Administration, in

accordance with these Rules, and upon such terms as such committee shall prescribe.

Any violation of this rule shall be cause for removal or discharge of the offender.

ARTICLE IX — GENERAL PROVISIONS

9.1 RULE AS TO CONSTRUCTION. As used in these Rules the terms “majority vote” and “vote of the House” shall mean a majority of members present at the particular time. The term “vote of the whole House” shall mean a majority vote of all the members elected to the House for that particular session of the Legislature.

Singular words used in these Rules shall include the plural, unless the context indicates a contrary intention.

The words “he”, “his” and “him” shall be construed to include “she”, “hers”, and “her” whenever the latter are appropriate.

9.2 MEDIA NEWS REPORTERS. Accredited representatives of the press, press associations, and radio and television stations shall be accorded equal press privileges by the House. Any person wishing to report proceedings of the House may apply to the Committee on Rules and Legislative Administration for a press pass and assignment to suitable available space.

Television stations shall be permitted to televise sessions of the House.

9.3 DISPOSITION OF BILLS. Adjournment of the regular session in any odd-numbered year to a day certain in the following year shall be equivalent to daily adjournment except that any bill on the Consent Calendar, Calendar or Special Orders shall be returned to General Orders.

9.4 RECESS BILL INTRODUCTIONS. During the period between the last day of the session in any odd-numbered year and the first day of the session in the following year, any bill filed with the Speaker for introduction shall be given a file number and may be unofficially referred to an appropriate standing committee of the House of Representatives.

9.5 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE. The rules of parliamentary procedure contained in Mason’s Manual of Legislative Procedure shall govern the House in all applicable cases in which they are not inconsistent with these Rules or the Joint Rules of the Senate and House of Representatives.

Anderson, I., moved that the report of the Committee on Rules and Legislative Administration on the proposed permanent rules of the House be printed in the Journal for today and laid over until Tuesday, February 1, 1977. The motion prevailed.

GENERAL ORDERS

Pursuant to rules of the House, the House resolved itself into the Committee of the Whole, with Sabo in the Chair, for the consideration of bills pending on General Orders of the Day.

REPORT OF COMMITTEE OF THE WHOLE

The Speaker resumed the Chair, whereupon the following proceedings of the Committee were reported to the House:

H. F. No. 12 which it recommended to pass.

On the motion of Anderson, I., the report of the Committee of the Whole was adopted.

MOTIONS AND RESOLUTIONS

Anderson, B., moved that H. F. No. 79 be recalled from the Committee on Commerce and Economic Development and be referred to the Committee on Agriculture. The motion prevailed.

Jacobs moved that the name of Reding be added as an author on H. F. No. 194. The motion prevailed.

ADJOURNMENT

Anderson, I., moved that when the House adjourns today it adjourn until 2:00 p.m., Tuesday, February 1, 1977. The motion prevailed.

Anderson, I., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 2:00 p.m., Tuesday, February 1, 1977.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

