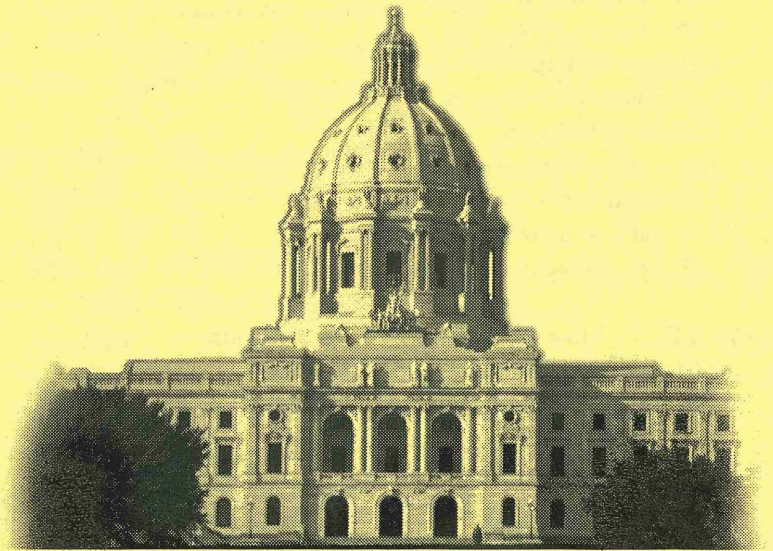


2005

**TEMPORARY RULES  
OF THE HOUSE**



State of Minnesota

House of Representatives

Eighty-Fourth Session

Adopted as amended on January 4, 2005

# TEMPORARY RULES OF THE HOUSE

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## **ARTICLE 1**

### **DAILY BUSINESS**

**1.01 CONVENING OF THE HOUSE.** Unless otherwise ordered, the House convenes at 3:00 p.m. The Speaker must take the chair at the appointed hour and call the House to order.

The call to order is followed by a prayer by the Chaplain or time for a brief meditation, then by the pledge of allegiance to the flag of the United States of America, and then by a call of the roll of members. The names of members present and members excused must be entered in the Journal of the House.

**1.02 READING OF THE JOURNAL.** If a quorum is present, the Chief Clerk must read the Journal of the preceding day, unless otherwise ordered. The House may correct errors in the Journal of the preceding day.

**1.03 ORDER OF BUSINESS.** After the Journal is read, the order of business of the day is:

- (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) Motions and resolutions

The House may advance or revert from any order of business to any other order of business, by majority vote of the whole House.

Conference committees on House bills and the Committee on Rules and Legislative Administration may report at any time.

**1.04 REPORTING OF BILLS.** A bill must be reported to the House on three different days before its passage, except as provided in Rule 5.02. The first report, called the first reading, occurs when it is introduced; the second report, called the second reading, occurs when it has been reported by the appropriate standing committees for consideration by the House; the third report, called the third reading, occurs when it is ready for the vote on passage.

**1.10 INTRODUCTION OF BILLS AND RESOLUTIONS.** A bill or resolution must be submitted to the Speaker at least 24 hours before the convening of the daily session at which it is to be introduced.

A bill or resolution must be introduced in triplicate and each copy must bear the signature of the member or the name of the committee introducing it.

In regular session, a bill prepared by a department or agency of state government must be introduced and given its first reading at least ten days before the date of the first committee deadline.

**1.11 FIRST READING AND REFERENCE OF BILLS.** A bill or resolution must be reported and given its first reading when it is introduced. A bill or resolution must not be objected to when it is introduced.

After its first reading, the Speaker must refer a bill or resolution to the appropriate standing committee or division, except as provided in Rule 1.15 and Rule 1.13.

Congratulatory resolutions referred to in Rule 4.02 are exempt from this Rule.

Except as otherwise provided in these Rules, after the Speaker refers a bill or resolution, a majority vote of the whole House is required for the House to re-refer the bill or resolution.

**1.12 AUTHORS OF BILLS AND RESOLUTIONS.** A bill, memorial, or resolution must not have more than 35 authors. After a bill or resolution is introduced and given its first reading: (a) a member may be removed as an author, by motion of the member; and (b) a member wishing to be an author may be added as an author, by motion of the author of the bill or resolution.

**1.13 INTRODUCTION OF COMMITTEE BILLS.** A standing or special committee of the House may introduce a bill as a committee bill on any subject within its purview. When a committee bill is introduced and read for the first time, the Speaker may refer it to a standing committee. If the Speaker does not refer it, the bill must be laid over one day. Then it must be read for the second time and placed on the General Register or, if recommended by the Committee, on the Consent Calendar.



**1.14 RECESS BILL INTRODUCTIONS.** During the period between the last day of the regular session in an odd-numbered year and the first day of the regular session in the next year, a bill filed with the Speaker for introduction must be given a file number and may be unofficially referred by the Speaker to an appropriate standing committee.

**1.15 DISPOSITION OF SENATE FILES.** A Senate File received by the House that is accompanied by a message announcing its passage by the Senate must be referred to the appropriate standing committee under Rule 1.11. But if a Senate File is received that a member requests be compared to a House File already reported by a standing committee of the House and placed on the General Register or on the Calendar for the Day or the Consent Calendar, the Senate File must be referred to the Chief Clerk for comparison. If the Chief Clerk reports that the Senate File is identical to 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 must be entered in the Journal and the House File is then considered withdrawn.

A Senate File that is amended on the floor of the House, except at the time of final passage, and a Senate File that has been reported to the House with amendments by a House standing committee, must be unofficially engrossed and reprinted by the Chief Clerk. An amendment may be offered to an unofficial engrossment of a Senate File.

**1.20 GENERAL REGISTER.** The General Register consists of all bills that have received a second reading, except those placed on the Consent Calendar under Rule 1.23. Bills must be placed on the General Register in the order that they receive their second reading. A bill must be on the General Register, be given to each member, and be available to the public before it may be considered by the House on the Calendar for the Day or the Fiscal Calendar. Each day that the House meets in session, the Chief Clerk must publish a list of the bills on the General Register.

**1.21 CALENDAR FOR THE DAY.** The Calendar for the Day is a list of bills that are to be considered that day by the House. The House must consider each item on the Calendar for the Day in the order determined by the presiding officer. After consideration by the House, unless otherwise disposed of, the bill must immediately be given its third reading and placed upon its passage.

A bill that has received its second reading may be placed on the Calendar for the Day by the Committee on Rules and Legislative Administration or by order of the House upon the motion of a member as provided in this Rule.

The Committee on Rules and Legislative Administration must designate the bills that are to be on the Calendar for the Day. During regular session, the Committee must designate the bills by 5:00 p.m. the day before the day that the



bills are to be on the Calendar, except that the Committee may designate the bills at any time in an odd-numbered year after the first Monday following the third Saturday in April, and in an even-numbered year after a day specified by the Committee on Rules and Legislative Administration. After the Committee designates the bills, the Chief Clerk must publish the Calendar for the Day.

A bill that is on the General Register for more than ten legislative days may be placed on the Calendar for the Day by a majority vote of the whole House, acting on the motion of a member. A bill placed on the Calendar for the Day in this manner must be considered first the next time that the House reaches the order of business "Calendar for the Day." A member must give notice to the Speaker three legislative days before making a motion to place a bill on the Calendar for the Day. The notice must specify the number and title of the bill. Only the member who gave notice to the Speaker, or another member designated in writing by the member who gave notice, may make the motion to place the bill on the Calendar for the Day. After the third legislative day following the day of notice, the motion must be made the first time that the House reaches the order of business "Motions and Resolutions." If the motion is not made at that time, the member who gave notice forfeits the right to make that motion.

A bill may be continued on the Calendar for the Day by a majority vote of the whole House. A third motion by the author of a bill to continue it on the Calendar for the Day is not in order; upon such a motion, the bill must be stricken from the Calendar and returned to the General Register in the order of its second reading. The Calendar for the Day expires when the House adjourns for the day, unless the House, by a majority vote of the whole House, continues items remaining on the Calendar to the next day.

**1.22 FISCAL CALENDAR.** A finance bill that has had its second reading must be considered by the House when requested by the Chair of the Committee on Ways and Means or by a designee of the Chair. A bill relating to taxes or raising revenue that has had its second reading must be considered by the House when requested by the Chair of the Committee on Taxes or a designee of the Chair.

During regular session, a chair must announce the intention to make the request by 5:00 p.m. the legislative day before the day that the request for consideration is to be made, except in an odd-numbered year after the first Monday following the third Saturday in April, and in an even-numbered year after a day specified by the Committee on Rules and Legislative Administration. During periods when the 5:00 p.m. requirement does not apply, the chair must announce the intention at least two hours before making the request.

After consideration by the House on the Fiscal Calendar, unless otherwise disposed of, the bill must immediately be given its third reading and placed upon its passage.

**1.23 CONSENT CALENDAR.** If a committee determines that a bill it recommends to pass is not controversial, the committee may in its report recommend that the bill be placed on the Consent Calendar. After the report is adopted and the bill has received its second reading, the bill must be placed on the Consent Calendar and given to each member at least one day before it may be considered by the House. Bills must be placed on the Consent Calendar in the order that they receive their second reading and must be considered by the House in the order determined by the presiding officer.

After consideration by the House, a bill on the Consent Calendar must immediately be given its third reading and placed upon its passage. But if, before its third reading, ten members object to the bill as being controversial, the bill must be stricken from the Consent Calendar and be placed on the General Register in the order of second reading.

**1.30 THIRD READING OF BILLS.** An amendment must not be received after the third reading of a bill without unanimous consent, except to fill blanks or to amend the title.

At any time before it is passed, a bill or resolution may be referred or re-referred by a majority vote of the whole House. If the committee to which it is referred or re-referred reports an amendment to it, the bill or resolution must again be given its second reading and placed on the General Register.

**1.40 PUBLICATION OF BILLS FOR THE HOUSE.** After a bill receives its second reading, the bill must be prepared and published for consideration by the House. A majority of the House may order the publication of a bill at any time.

**1.50 ADJOURNING OF THE HOUSE.** The House may not meet during a legislative day after midnight, except that the House, by majority vote, may meet past the time of adjournment required by this Rule.

## **ARTICLE 2**

### **FLOOR PROCEEDINGS, VOTING, DECORUM**

**2.01 ABSENCE OF MEMBERS AND OFFICERS.** Unless illness or other sufficient cause prevents attendance, a member or officer of the House must not be absent from a session of the House without the prior permission of the Speaker.

**2.02 CALL OF THE HOUSE.** Ten members may demand a call of the House at any time until voting begins.

When a call is demanded, the doors of the chamber must be closed, the roll called, and the absent members sent for; and no member is allowed to leave the chamber until the roll call is suspended or completed. During the roll call, no motion is 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 must not permit a member to leave the Chamber unless the member is excused by the Speaker.

A call of the House may be lifted by a majority vote of the whole House.

**2.03 ROLL CALL VOTE.** A roll call vote is required to pass a bill or to adopt a resolution or motion directing the payment of money. In all other cases a roll call vote may be ordered only if 15 members demand it.

**2.04 EXPLAINING OR CHANGING VOTE.** A member must not explain a vote or discuss the question during a roll call vote. A member must not change a vote or move for the record an intention to have voted or voted differently after the result of the roll call vote is announced from the chair by the Speaker.

**2.05 EVERY UNEXCUSED MEMBER TO VOTE.** A member who has an immediate interest in a question must not vote on it.

Every other member present before the result of a vote is declared by the presiding officer must vote for or against the matter before the House, unless the House excuses the member from voting. But a member is not required to vote on any matter concerning a memorial resolution.

A member who does not vote when the member's name is called must state reasons for not voting. After the vote has been taken but before the presiding officer has announced the result of the vote, the presiding officer must submit to the House the question: "Shall the member, for the reasons stated, be excused from voting?" The question must be decided without debate. After the question is decided, the presiding officer must announce the result of the vote, after which other proceedings about the nonvoting member may take place.

**2.10 ELECTRONIC VOTING SYSTEM.** An electronic voting system under the control of the Speaker may be used to take any vote except a vote on an election. A member must not vote on a question except at the member's own seat in the chamber.

**2.15 RECORDED FLOOR PROCEEDINGS.** Proceedings on the floor of the House must be recorded on magnetic tape or similar recording medium under the direction of the Chief Clerk. The Chief Clerk must deliver the tapes to the Director of the Legislative Reference Library. The Legislative Reference Library must keep the tapes on file for public use under its rules for eight years after the end of the legislative biennium during which the tapes were created and then must deliver them to the Director of the Minnesota Historical Society.

A person may obtain a copy of a tape during the biennium in which it is recorded by paying a fee determined by the Chief Clerk to cover the cost of preparing the copy.

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



**2.20 DUTIES OF MEMBERS.** Members must keep their seats until the Speaker announces adjournment.

A member, before speaking, must rise and respectfully address the Speaker and must not speak further until recognized by the Speaker. If more than one member rises at the same time, the Speaker must select the member to speak first.

**2.21 NOTICE OF INTENT TO DEBATE A RESOLUTION.** A member may give notice of intent to debate a resolution, except a resolution introduced as a house file or a senate file under Rule 4.02 or a resolution offered by the Committee on Rules and Legislative Administration or the Committee on Ethics.

The notice may be given at any time before the vote is taken on the resolution. If the notice is given, the resolution must be laid over one day without debate or any other action.

**2.30 QUESTIONS OF ORDER.** If a member violates the Rules in any way, the Speaker must, or another member may, call the member to order. The member called to order must immediately sit down unless another member moves to permit the member who was called to order to explain. In either case, the House, if appealed to, must decide the question without debate. Only if the decision is in favor of the member called to order may that member proceed. The House may censure or punish a member called to order.

**2.31 OFFENSIVE WORDS IN DEBATE.** If a member is called to order for offensive words in debate, the member calling for order must report the words to which exception is taken and the Clerk must record them. A member must not be held to answer, or be subject to censure of the House, for language used in debate unless exception is taken before another member speaks or other business takes place.

**2.32 ORDER IN DEBATE.** Except for the member who offered the motion, amendment, or proposition under consideration, a member must not speak more than twice on the subject, without leave of the House, nor more than once until every other member wishing to speak on the subject has had an opportunity to do so.

**2.33 ORDER DURING SESSION.** A member must not walk out of or across the Chamber while the Speaker is putting the question. A member must not engage in private conversation while another member is speaking or pass between a speaking member and the Chair.

**2.34 PERSONS BY THE CHIEF CLERK'S DESK DURING VOTE.** No person may remain by the Chief Clerk's desk during a roll call vote.

**2.40 ADMITTANCE TO FLOOR.** No person other than a member may be admitted to the House Chamber, except: 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 Court, Court of Appeals, and District Courts; members of Congress; and properly accredited representatives of radio and television stations, newspapers and press associations, as provided for in these Rules.

Any other person may be issued a permit by the Speaker good for the day, but that person must be seated near the Speaker's rostrum, and must not engage in conversation that disturbs the business of the House. Before issuing a permit, the Speaker must make certain that the person does not seek the floor of the House to influence decisions of the House.

The alcoves in the Chambers are for the use of members only, and the Sergeant at Arms must keep them clear of others.

From one hour before the time the House is scheduled to convene until one hour after the House adjourns for the day, the retiring room is reserved for the exclusive use of the members and employees of the House. As long as the Senate prohibits entry of House members into its retiring room, no Senators may enter the House retiring room during the time it is reserved for exclusive use of members and employees. A committee meeting must not be held there except emergency meetings authorized by the Speaker. The Sergeant at Arms must strictly enforce this provision.

Unless an extraordinary condition exists the Speaker must not entertain a request to suspend this Rule or present the request of a member for unanimous consent to suspend this Rule.

**2.41 MEDIA NEWS REPORTERS.** Accredited representatives of the press, press associations, and radio and television stations must be given equal press privileges by the House. A person wishing to report proceedings of the House may apply to the Chief Sergeant at Arms for a media pass and assignment to suitable available space. The Sergeant may coordinate the issuance of media passes with the appropriate senate authority.

Television stations must be permitted to televise sessions of the House. Media representatives must be allowed access to both wells in the gallery of the House chambers.

### **ARTICLE 3**

#### **MOTIONS, AMENDMENTS, AND OTHER PROPOSITIONS**

**3.01 AMENDMENTS AND OTHER MOTIONS.** An amendment or other motion must not be debated until after it is stated by the Speaker.



After an amendment or other motion is stated by the Speaker it is in possession of the House, but the mover may withdraw it at any time before it is amended or decided. Unless a motion, resolution, or amendment is withdrawn on the day it is made, it must be entered in the Journal, with the name of the member offering it.

Except as otherwise permitted by the Speaker, an amendment or other motion must be in writing, and five copies of it must be given to the Chief Clerk.

**3.02 ORDER OF PUTTING QUESTION; FILLING BLANKS.** Except for a privileged question, questions before the House or a committee must be put in the order they are moved. In filling a blank, a motion for the largest sum or the longest time must be put first.

**3.03 DIVISION OF A QUESTION.** A member may request the division of a question that contains more than one separate and distinct point. A motion to strike and insert is not divisible. The failure of a motion to strike does not preclude another motion to amend or to strike and insert.

**3.10 PRECEDENCE OF MOTIONS.** While a question is under consideration, only the following motions may be received:

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

The first four motions must be decided without debate.

The motions have precedence in the order listed, except that if the motion for the previous question has been properly made, and if necessary seconded, and the main question ordered, the motion to lay on the table is not in order.



**3.11 MOTION TO ADJOURN.** A motion to adjourn is always in order except during a roll call.

After a motion to adjourn is made, before putting the question, the Speaker may permit any member to state reasons why adjournment might be improper at that time. A statement is not debatable and must be limited to two minutes.

**3.12 MOTION TO LAY ON THE TABLE.** A motion to lay on the table is not in order on a motion to amend, except that a motion to amend the Rules may be tabled.

**3.13 THE PREVIOUS QUESTION.** The previous question may be moved under the following circumstances: (a) on a major finance or revenue bill specified in Rule 4.03, after the House has considered the bill for at least two hours after third reading or for at least two hours after the failure of an earlier motion for the previous question on the bill; (b) on any other bill or resolution, after the House has considered the bill or resolution for at least one hour after third reading or for at least one hour after the failure of an earlier motion for the previous question on the bill or resolution; and (c) on an amendment, motion, or other question pertaining to a bill or resolution, after the House has considered the amendment, motion, or question for at least 20 minutes or for at least 20 minutes after the failure of a motion for the previous question on the same matter.

The previous question may be moved by a member who is seconded by 15 members.

If the motion for the previous question is ordered by a majority of members present, its effect is to put an end to all debate and bring the House to direct vote upon the question.

Before the presiding officer submits a motion for the previous question to the House, a call of the House is in order. After a majority has ordered the previous question, a call of the House is not in order before the decision on the main question.

When the previous question is decided in the negative, the main question remains under debate until it is disposed of by a vote on the question, by a subsequent motion calling for the previous question under this Rule, or in some other manner.

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

**3.14 MOTION TO RECONSIDER.** After a question is decided either in the affirmative or negative, a member who voted with the prevailing side may move to reconsider it. The motion must be made on the same day the vote was taken or on either of the next two days that the House meets in session and has

possession of the matter. The motion may be made at any time in the Order of Business. It takes precedence over any other question except a motion to adjourn and a notice of intent to move to reconsider. The motion to reconsider, or notice of intent to make it, must not be made if the document, bill, resolution, message, report or other subject of official action on which the vote was taken has left the possession of the House.

When a member gives notice of intent to move to reconsider the final action of the House on a bill, resolution, message, report or other subject of official action, the Chief Clerk must keep it until the matter is disposed of or the time has expired for the motion. In regular session, notice of intent to move to reconsider must not be made in an odd-numbered year after the fifth Monday preceding the last Monday that the House may meet in regular session and in an even-numbered year after a date specified by the Committee on Rules and Legislative Administration.

On the last day allowed for the motion to reconsider, a member who voted on the prevailing side may make the motion, unless the matter has been already disposed of.

If a motion to reconsider fails, it must not be renewed.

**3.15 MOTION TO RESCIND.** A motion to rescind is not in order at any time in any proceeding in the House or in any committee of the House.

**3.20 AMENDMENTS TO AMENDMENTS.** An amendment may be amended, but an amendment to an amendment must not be amended.

**3.21 MOTIONS AND PROPOSITIONS MUST BE GERMANE.** A motion or proposition on a subject different from that under consideration must not be admitted under guise of its being an amendment. A motion, amendment, or other proposition offered to the House is out of order if it is not germane to the matter under consideration. Whether a proposition is germane to the matter under consideration is a question to be decided by the presiding officer, who may put the question to the House.

**3.22 AMENDMENT TO INCREASE AN APPROPRIATION OR TAX.** The concurrence of a majority of the whole House, determined by a roll call vote, is required to adopt an amendment increasing an appropriation or a tax.

**3.30 EXPENDITURE OF HOUSE FUNDS.** The concurrence of a majority of the whole House, determined by a roll call vote, is required for favorable action on a resolution or motion involving the expenditure of money appropriated by the Legislature to the House. The resolution or motion must be referred to the Committee on Rules and Legislative Administration before being acted on by the House.



## **ARTICLE 4**

### **BILLS AND RESOLUTIONS**

**4.01 BILL AND RESOLUTION FORM.** A bill or resolution must not be introduced until it has been examined and approved by the Revisor of Statutes as to form and compliance with these Rules and the Joint Rules of the House and Senate. The Revisor's approval must be endorsed on the bill or resolution.

A bill that is divided into articles may include or be accompanied by a table of contents.

**4.02 RESOLUTIONS.** A statement of facts being forwarded for action to a governmental official, agency, or body or other similar proposal is a memorial and must be introduced in the same form and take the same course as a bill. A joint resolution and any resolution requiring the signature of the governor must be introduced in the same form and take the same course as a bill.

A resolution must not authorize expenditure from any source other than the money appropriated by the Legislature to the House.

Congratulatory resolutions do not require consideration or adoption by the House.

A resolution must not be changed to a bill, and a bill must not be changed to a resolution.

**4.03 WAYS AND MEANS COMMITTEE; BUDGET RESOLUTION; EFFECT ON EXPENDITURE AND REVENUE BILLS.** The Committee on Ways and Means must hold hearings as necessary to determine state expenditures and revenues for the fiscal biennium.

Within 20 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, the Committee on Ways and Means must adopt and report a budget resolution, in the form of a House resolution. The budget resolution must set: (a) the maximum limit on net expenditures for the next fiscal biennium for the general fund, excluding any increased expenditures for tax reduction and relief; and (b) an amount or amounts to be set aside as a budget reserve and a cash flow account. The House budget resolution must not specify, limit, or prescribe revenues or expenditures by any category other than those specified in clauses (a) and (b). After the House adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the House, acting upon a subsequent report of the Committee on Ways and Means, adopts a different limit or limits for the same fiscal biennium. During the regular session in the even-numbered year, before the Committee on Ways and Means reports a bill containing net increases or decreases in expenditures as compared to general



fund expenditures in the current fiscal biennium estimated by the most recent state budget forecast, the Committee must adopt a budget resolution that accounts for the net changes in expenditures. After the Committee adopts the budget resolution, it is effective during the regular session that year, unless the Committee adopts a different or amended resolution.

Within 14 days after the House or the Committee on Ways and Means adopts a budget resolution, the Committee must adopt, by resolution, limits for each budget category represented by the major finance and revenue bills identified in this Rule. The Committee may also, by resolution, set limits for funds other than the general fund. After the Committee adopts a resolution, the limits in the resolution are the maximums effective during the regular session in the year in which the resolution is adopted, unless the Committee subsequently adopts different or amended limits for the same fiscal biennium.

The Committee on Ways and Means may not combine any of the major finance or revenue bills.

Major finance and revenue bills are:

the higher education finance bill;

the education finance bill;

the agriculture, environment, and natural resources finance bill;

the health finance bill;

the state government finance bill;

the jobs and economic opportunity finance bill;

the transportation finance bill;

the public safety finance bill;

the omnibus capital investment bill; and

the omnibus tax bill.

After the adoption of a resolution by the House or by the Committee on Ways and Means, each finance committee, the Committee on Capital Investment, and the Committee on Taxes must reconcile each finance and revenue bill described in Rule 4.10 and Rule 4.11 with the resolution or resolutions. When reporting a bill, the committee must provide to the Committee on Ways and Means a fiscal statement on the bill and a written statement certifying that the committee has reconciled the fiscal effect of the bill with the resolution or resolutions and

that the bill, as reported by the committee, together with other bills reported and expected to be reported by the committee, does not and will not exceed the limits specified in the resolution or resolutions.

After the adoption of a resolution by the House or the Committee on Ways and Means, the Committee on Ways and Means must reconcile finance and revenue bills with the resolution or resolutions. When reporting a bill, the chair of the Committee must certify to the House that the Committee has reconciled the bill with the resolution or resolutions and that the bill, as reported by the Committee, together with other bills reported and expected to be reported by the Committee, does not and will not exceed the limits specified in the resolution or resolutions.

After the adoption of a resolution by the House or the Committee on Ways and Means, an amendment to a bill is out of order if it would cause any of the limits specified in the resolution or resolutions to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided on the Floor by the Speaker or other presiding officer and in committee by the person chairing the committee meeting. In making the determination, the Speaker or other presiding officer or the committee chair may consider: (1) the limits in a resolution; (2) the effect of existing laws on revenues and expenditures; (3) the effect of amendments previously adopted to the bill under consideration; (4) the effect of bills previously recommended by a committee or bills previously passed in the legislative session by the House or by the legislature; (5) whether expenditure increases or revenue decreases that would result from the amendment are offset by decreases in other expenditures or increases in other revenue specified by the amendment; and (6) other information reasonably related to expenditure and revenue amounts.

After a resolution is adopted by the House or the Committee on Ways and Means, the Committee must cause to be published a summary of the estimated fiscal effect on the general fund of each bill that has been referred to the Committee on Ways and Means by a finance committee, the Capital Investment Committee, or the Committee on Taxes and of each bill that has been reported by the Committee on Ways and Means.

**4.10 FINANCE BILLS.** Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects any present or future financial obligation on the part of the State must be referred to the appropriate finance committee before the bill receives its second reading.

A finance bill reported by a finance committee must be referred to the Committee on Ways and Means.

Referral is not required by this Rule if the bill has a negligible fiscal effect, as determined by the chair of the finance committee with the concurrence of the chair of the Committee on Ways and Means.



**4.11 BILLS AFFECTING TAXES.** Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects state tax revenues or substantially affects state tax policy or the administration of state tax policy must be referred to the Committee on Taxes before it receives its second reading.

A bill with a fiscal effect reported by the Committee on Taxes must be referred to the Committee on Ways and Means.

Referral is not required by this Rule if the bill has a negligible tax or fiscal effect, as determined by the chair of the Committee on Taxes with the concurrence of the chair of the Committee on Ways and Means.

**4.12 BILLS AFFECTING DEBT AND CAPITAL PROJECTS.** The Committee on Capital Investment has jurisdiction over legislation affecting debt obligations issued by the state and capital projects of the state, including the planning, acquiring and bettering of public lands and buildings and other state projects of a capital nature. Except as provided in Rule 1.15, a House or Senate bill that directly and specifically affects debt obligations or capital projects of the state must be referred to the Committee on Capital Investment before the bill receives its second reading.

Referral is not required by this Rule if the bill deals primarily with the financing of state capital facilities using trunk highway funds, with transportation projects financed without debt obligations of the state, or with the local financing of capital facilities of local governments. Referral is not required by this Rule if the bill has a negligible effect on debt obligations and capital projects of the state as determined by the chair of the Committee on Capital Investment with the concurrence of the chair of the Committee on Ways and Means. Referral is not required by this Rule if the bill is a major finance or revenue bill identified in Rule 4.03, unless the bill directly and specifically affects debt obligations of the state, but if a major finance or revenue bill contains a provision that directly and specifically affects capital projects of the state, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Capital Investment of the provision before the bill is considered by the House.

The Speaker, by announcement, must assign to each finance committee the appropriate jurisdiction for recommendations on debt obligations and capital projects of the state. The finance committee must submit recommendations within its jurisdiction to the committee on Capital Investment for further disposition. The Committee on Capital Investment must enter in the committee record the recommendations of each finance committee that submits recommendations. If a recommendation of the finance committee with jurisdiction expressly disapproves appropriations or the issuance of debt obligations for a specific capital project, the Capital Investment Committee may not report a bill authorizing appropriations or the issuance of debt for that project.

A bill with a fiscal effect reported by the Committee on Capital Investment must be accompanied by a statement of its fiscal effect, is exempt from the referral required by Rule 4.10, and must be referred to the Committee on Ways and Means. This referral is not required if the bill has a negligible fiscal effect, as determined by the chair of the Committee on Capital Investment with the concurrence of the chair of the Committee on Ways and Means.

**4.13 BILLS AFFECTING STATE GOVERNMENT POWERS AND STRUCTURE.** The Committee on Governmental Operations and Veterans Affairs has jurisdiction over a House or Senate bill that:

- (a) establishes or reestablishes a department, agency, commission, board, task force, advisory committee or council, or bureau, or other like entity;
- (b) delegates rulemaking authority to, or exempts from rulemaking, a department or agency of state government; or
- (c) substantially changes the organization of a department or agency of state government or substantially changes, vests or divests the official rights, powers, or duties of an official, department or agency of state government or an institution under its control.

Except as otherwise provided in this Rule and Rule 1.15, a bill that is within the jurisdiction of the Committee on Governmental Operations and Veterans Affairs must be referred to that Committee before it receives its second reading. A committee (other than the Committee on Governmental Operations and Veterans Affairs) reporting such a bill must recommend its re-referral to the Committee on Governmental Operations and Veterans Affairs if reporting before the deadline for action on the bill by that Committee; if reporting after the deadline, the committee must recommend re-referral to the Committee on Rules and Legislative Administration.

The re-referral requirements of this Rule do not apply to the major finance and revenue bills identified in Rule 4.03. If a major finance or revenue bill contains a provision specified in clauses (a) or (b) of the definition in this Rule, the chair of the finance or tax committee reporting the bill must notify the chair of the Committee on Rules and Legislative Administration before the bill is considered by the House.

The re-referral requirements of this Rule do not apply to other bills reported by a finance committee or the tax committee, except bills that contain a provision specified in clauses (a) and (b) of the definition in this Rule.

**4.14 BILLS PROPOSING MEMORIALS.** A bill or amendment that proposes to have a memorial placed in the Capitol area must be referred to the Committee on Rules and Legislative Administration.



**4.15 BILLS PROPOSING CONSTITUTIONAL AMENDMENTS.** A House or Senate bill that proposes a constitutional amendment must be referred to the Committee on Rules and Legislative Administration before it receives its second reading. When reporting such a bill, a committee, other than the Committee on Rules and Legislative Administration, must recommend re-referral to the Committee on Rules and Legislative Administration.

**4.20 DISPOSITION OF BILLS DURING INTERIM.** Adjournment of the regular session in an odd-numbered year to a day certain in the next year is the same as daily adjournment except that a bill on the Consent Calendar, Calendar for the Day, Fiscal Calendar, or General Register must be returned to the standing committee that last acted on the bill.

**4.30 RECALLING BILL FROM COMMITTEE OR DIVISION.** A bill or resolution may be recalled from a committee or division at any time by majority vote of the whole House, be given a second reading and be placed on the General Register. A motion to recall a bill or resolution is in order only under the order of business "Motions and Resolutions." This Rule does not apply in a special session or after the deadline for committee reports on House files.

**4.31 TIME LIMIT TO CONSIDER BILLS.** If 20 legislative days after a bill has been referred to a committee or division (other than the Committee on Ways and Means, the Committee on Taxes, a finance committee, or a division of one of those committees) a report has not been made on it by the committee or division, its chief author may request that it be returned to the House. The request must be entered in the Journal.

The committee or division must vote on the bill requested within ten calendar days after the day of the request.

If the committee or division fails to vote on it within ten days, the chief author may present a written demand to the Speaker for its immediate return to the House. The demand must be presented within five calendar days after the day that the committee or division is required to vote. If the demand is presented in the time allowed, it must be entered in the Journal and is the demand of the House. The bill is then considered to be in the possession of the House and must be given its second reading and placed on the General Register.

The bill may be re-referred by a majority vote of the whole House. If the motion to re-refer is made on the day of the demand or on the next House legislative day, the motion takes precedence over all other motions except privileged motions and is in order at any time.

## **ARTICLE 5**

### **PARLIAMENTARY PRACTICE**

**5.01 SUSPENSION OR AMENDMENT OF THE RULES.** The concurrence of two-thirds of the whole House is required to suspend or amend a 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 5.02, a motion to suspend or amend any Rule of the House must be made under the order of business "Motions and Resolutions." If the motion is made at another time, unanimous consent is required before the Speaker may 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 under Rule 3.13.

**5.02 SUSPENSION OF RULES TO ADVANCE A BILL.** A bill must be reported on three different days as provided in Rule 1.04, except that in case of urgency, a two-thirds majority of the whole House may suspend this requirement. A motion to suspend 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 describe the status of the bill.

**5.03 DEFINITIONS.** In these Rules the terms "majority vote" and "vote of the House" mean a majority of members present for the vote. The term "vote of the whole House" means a majority of all the members elected to the House.

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

**5.04 AUTHORIZED MANUAL OF PARLIAMENTARY PROCEDURE.** "Mason's Manual of Legislative Procedure" governs the House in all applicable cases if it is not inconsistent with these Rules, the Joint Rules of the Senate and House of Representatives, or established custom and usage.

**5.05 CONFLICT OF RULES.** When there is a conflict between a single House Rule and a single Joint Rule, the one last adopted governs.



## **ARTICLE 6**

### **COMMITTEES AND REPORTS**

6.01 COMMITTEES. Standing committees of the House must be appointed by the Speaker as follows:

Agriculture and Rural Development

Capital Investment

Civil Law and Elections

Commerce and Financial Institutions

Technology, Bio-Sciences and Medical Products Division

Tourism Division

Education Policy and Reform

Environment and Natural Resources

Ethics

Governmental Operations and Veterans Affairs

Local Government

Regulated Industries

Gaming Division

Rules and Legislative Administration

Taxes

Property and Local Tax Division

Transportation

Ways and Means

Agriculture, Environment and Natural Resources Finance

Education Finance

Health Policy and Finance

Health Care Cost Containment Division

Higher Education Finance

Jobs and Economic Opportunity Policy and Finance

Public Safety Policy and Finance

State Government Finance

Transportation Finance

The Committee shall make its report and the House shall adopt permanent rules by February 15, 2005.

**6.02 COMMITTEE MEMBERSHIP.** At least 30 days before the start of a regular session of the Legislature, the Speaker-designate must provide the minority political party caucuses with a list of the standing committees proposed for the session. The Speaker-designate must prescribe the number of minority caucus 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 before the start of the session, a list of proposed committee assignments for the minority caucus that complies with the numbers and guidelines provided, the Speaker must make the proposed assignments with the purpose of attaining proportionate representation on the committees for the minority caucus.

A committee of the House must not have exclusive membership from one profession, occupation or vocation.

A member must not serve as the chair of the same standing committee, or a standing committee with substantially the same jurisdiction, during more than three consecutive regular biennial sessions that the member's caucus is in the majority, even if the sessions are not otherwise consecutive. This Rule does not apply to service as chair of the Committee on Rules and Legislative Administration.

**6.03 APPOINTMENTS TO BOARDS AND COMMISSIONS.** Upon the convening of the biennial session, the Speaker must notify the members of the House of each board or commission to which a member of the House may be appointed by the Speaker. The Speaker must request advice from the minority leader on these appointments.

**6.04 SUBCOMMITTEES.** The chair of a committee must appoint the chair and members of each subcommittee with the advice and consent of the Speaker. The chair or the committee may refer bills to a subcommittee. A subcommittee may exercise the authority delegated to it by the chair or by the committee.

**6.10 THE COMMITTEE ON ETHICS.** The Speaker must appoint a Committee on Ethics consisting of four members: two members from the majority political party caucus, and two from the minority caucus. One alternate from each caucus must also be appointed. The committee must adopt written procedures, which must include due process requirements, for handling complaints and issuing guidelines.

A complaint may be brought about conduct by a member that violates a rule or administrative policy of the House, that violates accepted norms of House behavior, that betrays the public trust, or that tends to bring the House into dishonor or disrepute.



A complaint about a member's conduct must present with specificity the factual evidence supporting the complaint. A complaint must be in writing, under oath and signed by two or more members of the House, and submitted to the Speaker. Before submitting the complaint to the Speaker, the complainants must cause a copy of it and any supporting materials to be delivered to any member named in the complaint. Within seven days after receiving a complaint, the Speaker must refer the complaint to the Ethics Committee for processing by the committee according to its rules of procedure.

The existence and substance of a complaint, including any supporting materials, and all proceedings, meetings, hearings, and records of the Ethics Committee are public; except that the committee, upon a majority vote of the whole committee, may meet in executive session to consider or determine the question of probable cause, to consider a member's medical or other health records, or to protect the privacy of a victim or a third party.

A complaint of a breach of confidentiality by a member or employee of the House must be immediately referred by the Speaker to the Ethics Committee for disciplinary action.

The committee must act in an investigatory capacity and may make recommendations regarding complaints submitted to the Speaker before adjournment sine die. With the approval of the Speaker, the committee may retain a retired judge or other nonpartisan legal advisor to advise and assist the committee, as the committee considers appropriate and necessary in the circumstances of the case, in conducting the proceedings and obtaining a complete and accurate understanding of the information relevant to the conduct in question.

Ethics Committee recommendations for disciplinary action must be supported by clear and convincing evidence and must be reported to the House for final disposition.

**6.20 COMMITTEE MEETING SCHEDULE.** The Speaker must prepare and publish a schedule of committee meetings, fixing as far as practicable the regular meeting day and time of each committee.

The chair of a committee must give written notice of a special meeting or a change in the regular schedule of meetings. The notice may be announced from the desk and must be posted in public notice locations maintained by the House. The notice must be posted at least one day in advance of the change.

As far as practicable, the chair of a committee must give three days notice of the date, time, place and agenda for each meeting.

Meeting notices must indicate when interactive television will be used to conduct the meeting.

During the first ten weeks of the session in the odd-numbered year and the first five weeks of the session in the even-numbered year, a standing committee must not have a regularly scheduled meeting after noon on Friday, but the Speaker may approve a special meeting of a committee during this time.

A committee must not meet between 12:00 midnight and 7:00 a.m.

Only the Committee on Rules and Legislative Administration may meet during a daily session of the House without leave.

**6.21 COMMITTEE PROCEDURES.** Meetings of House committees must be open to the public except for executive sessions that the committee on ethics considers necessary under Rule 6.10. For purposes of this requirement, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the committee. This requirement does not apply to a meeting of members of a committee from the same political party caucus.

A majority of members of a committee is a quorum.

The Rules of the House must be observed in committee if they are applicable.

An amendment offered in committee must be on a subject that is within the jurisdiction of the committee. Whether an amendment is on a subject that is within the jurisdiction of the committee is a question to be decided by the person chairing the meeting, who may put the question to the committee.

A member of a committee may demand a roll call vote on any bill, resolution, report, motion or amendment before the committee. If a demand is made, the roll must be called. The name of the member demanding the roll call and the vote of each member must be recorded in the committee minutes.

A committee may reconsider an action while the matter remains in the possession of the committee. A committee member need not have voted with the prevailing side to move to reconsider the action.

The chair of a committee, after consultation with the Speaker, may establish written procedures for the submission of amendments to the committee, the setting of committee agendas, and other matters pertaining to the conduct of the committee's business. Before implementing the written procedures, the chair must provide a copy of them to the Speaker and to each member of the House and must make copies available to others upon request.

**6.22 PUBLIC TESTIMONY.** Public testimony from proponents and opponents must be allowed on every bill or resolution before a standing committee, division or subcommittee of the House.



**6.23 OPEN MEETING ENFORCEMENT.** A person may submit to the Speaker a complaint alleging a violation of the open meeting requirements of Rule 6.21. The complaint must be in writing. On receiving a complaint, the Speaker, or a person designated by the Speaker, must investigate the complaint promptly. If the Speaker concludes, following investigation, that a violation of the open meeting Rule may have occurred, the Speaker must refer the complaint to the Committee on Ethics for further proceedings.

**6.24 COMMITTEE RECORDS.** The chair of a standing committee must cause a committee record to be kept, in the form prescribed by the Committee on Rules and Legislative Administration. The record must include the record of committee proceedings on each bill referred to the committee and the minutes of the committee and any subcommittees.

The committee and subcommittee minutes must include:

- a. the time and place of each hearing or meeting;
- b. the names of committee or subcommittee members who are present;
- c. the name and address of each person appearing before the committee or subcommittee, 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 member making the motion, the result of a vote on the motion, and, on a roll call vote, the names of those in favor and those opposed;
- e. the date on which a subcommittee is established, the names of its members and the file number of bills referred to it and reported by it;
- f. other important matters related to the work of the committee or subcommittee.

The minutes must be approved at the next regular meeting of the committee or subcommittee.

After approval by the committee or subcommittee, copies of the minutes must be filed with the Chief Clerk and be open to public inspection in the Chief Clerk's office.

At the end of the legislative biennium minutes and other records must be delivered to the Director of the Legislative Reference Library, who must keep them open for public inspection during regular office hours. A copy of a page of committee minutes may be obtained for a fee determined by the Library to cover the cost of preparing the copy.

The chair of the committee must keep the magnetic tape recording of a committee meeting until the minutes of the meeting are approved by the committee and then must file the recording with the Director of the Legislative Reference Library. A copy of a recording must be filed within 24 hours after a written request for it is made to the committee.

A person may obtain a copy of a tape while it is kept in the Library by paying a fee determined by the Library to cover the cost of the copy. Testimony and discussion preserved under this Rule are not intended to be admissible in a court or administrative proceeding on an issue of legislative intent.

The Legislative Reference Library must keep committee records and tapes for eight years after the end of the legislative biennium during which the materials were created and then must deliver them to the Director of the Minnesota Historical Society.

**6.30 COMMITTEE REPORTS.** The House must adopt or reject a committee report on a bill or resolution without amendment.

The chair of a standing committee reporting to the House on a bill or resolution must use the form provided for committee reports. Each bill or resolution must be reported separately. The report must state the action taken by the committee and the date of the action. The report must be authenticated by the signature of the chair.

Before a committee reports favorably on a bill or resolution, the chair must see that the form of the bill or resolution conforms to these Rules and the Joint Rules of the House and Senate.

Except during the last seven legislative days in a year, the committee report and any minority report must be submitted to the Chief Clerk at least four hours before the convening of the daily session. But the Committee on Rules and Legislative Administration may report at any time.

**6.31 SUBSTITUTION OF BILLS.** A standing or special committee or its members must not report a substitute for a bill referred to the committee if the substitute relates to a different subject, is intended to accomplish a different purpose, or requires a title essentially different from that of the bill referred. If the House is advised that a substitute bill reported to the House violates this Rule, the report must not be adopted.

**6.32 MINORITY REPORTS.** A minority report must be made separately from the majority report and must be considered before the majority report. If the minority report is adopted the majority report must not be considered. If the minority report is not adopted the majority report must then be considered.



**6.40 REPORTS OF CONFERENCE COMMITTEES.** A conference committee may report at any time and may meet during a daily session of the House without leave.

A conference committee report must include only subject matter contained in the House or Senate versions of the bill for which that conference committee was appointed, or like subject matter contained in a bill passed by the House or Senate. The member presenting the conference committee report to the House must disclose all substantive changes from the House version of the bill.

**6.50 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.

## **ARTICLE 7 OFFICERS OF THE HOUSE**

**7.01 DUTIES AND PRIVILEGES OF THE SPEAKER.** The Speaker must preside over the House and has all the powers and duties of the presiding officer.

The Speaker must preserve order and decorum. The Speaker may order the lobby or galleries cleared in the case of disorderly conduct or other disturbance.

Except as otherwise provided by rule or law, the Speaker has general control of the Chamber of the House and of the corridors, passages and rooms in the Capitol and State Office Building under the jurisdiction of the House.

The Speaker must sign all acts, addresses, joint resolutions, writs, warrants and subpoenas of the House or issued by order of the House. The Speaker must sign all abstracts for the payment of money from funds appropriated by the Legislature to the House; but money must not be paid unless the abstract is also signed by the Controller of the House. Abstracts for compensation of members must be signed by the Chief Clerk pursuant to law.

The Speaker must appoint the Chief Sergeant at Arms or must designate that officer from among the Sergeants at Arms elected by the House or appointed by the Committee on Rules and Legislative Administration.

When an elected office of the House becomes vacant, the Speaker must designate a person to exercise the powers and discharge the duties of the office as necessary until a successor is elected by the House.

**7.02 SUCCESSOR IN OFFICE OF SPEAKER.** When the office of Speaker becomes vacant, the Chair of the Committee on Rules and Legislative Administration has the powers and must discharge the duties of the office as necessary, until a Speaker is elected by the House or until a speaker-designate is selected as provided in this Rule. The House must elect a Speaker when the

House is next called to order. If the Legislature is not in session, within 30 days after the office of Speaker becomes vacant the Committee on Rules and Legislative Administration must meet and select a speaker-designate to exercise the powers and discharge the duties of the office as necessary until a Speaker is elected by the House.

**7.05 SPEAKER PRO TEMPORE.** The Speaker must appoint one or more members as Speaker pro tempore. A Speaker pro tempore must preside in the Speaker's absence. In the absence of the Speaker and a Speaker pro tempore, a member selected by the Speaker must preside until the Speaker or Speaker pro tempore returns.

**7.10 DUTIES OF CHIEF CLERK.** The Chief Clerk has general supervision of all clerical duties pertaining to the business of the House. The Chief Clerk must perform, under the direction of the Speaker, all the duties of the office of Chief Clerk. The Chief Clerk must keep records showing the status and progress of all bills, memorials and resolutions.

During a temporary absence of the Chief Clerk, the First Assistant Chief Clerk has all the usual responsibilities of the Chief Clerk and may sign the daily journal, enrollments, abstracts and other legislative documents.

The Chief Clerk must supervise the engrossment and enrollment of bills. The Chief Clerk must see that a record is kept, by file number, of the bills introduced in the House that passed both houses and are enrolled.

The Chief Clerk must ensure that locations accessible to the public are available to post a list of committee and subcommittee meetings and any other announcements or notices the House may require.

The Index Clerk, supervised by the Chief Clerk, must prepare an index in which bills may be indexed by topic, number, author, subject, section of the statutes amended, committees, and any other method that will make it a complete and comprehensive index.

The index must be open for public inspection during the legislative session and must be printed in the permanent Journal.

**7.20 DUTIES OF THE SERGEANT AT ARMS.** The Sergeant at Arms must carry out all orders of the House or the Speaker and perform all other services pertaining to the office of Sergeant at Arms, including: maintaining order in the Chamber and other areas used for the business of the House and its committees and members; supervising the entering and exiting from the Chamber and the other areas; and promptly delivering messages.



## **ARTICLE 8**

### **ADMINISTRATION OF THE HOUSE**

**8.01 BUDGET AND FINANCIAL AFFAIRS.** The House Controller must prepare a biennial budget for the House. The budget must be approved by the Committee on Rules and Legislative Administration before it is submitted to the State Government Finance Committee. By the 15th day of April, July, October, and January of each year, the Controller must submit a detailed report of House expenditures during the previous quarter to the Speaker and the Committee on Rules and Legislative Administration.

The House Controller must arrange for the purchase of goods and services for the House. The Controller must seek the lowest possible prices consistent with satisfactory quality and dependability. A contract of the House, or an amendment to a contract, authorizing an expenditure of more than \$500 must be signed by the Speaker or the Controller. A contract, or an amendment to a contract, authorizing an expenditure of up to \$500 may be executed by an employee authorized and directed in writing by the Controller to act for the Controller on the contract or contracts of its type. A contract or amendment to a contract entered into in violation of this Rule is not binding on the House.

Employees of the House must be reimbursed for actual expenses in the same manner as state employees.

During session, for travel away from the Capitol, members must be reimbursed for actual expenses, in addition to per diem expense allowances, in the manner and amount prescribed by the Committee on Rules and Legislative Administration.

**8.10 COMMITTEE BUDGETS AND EXPENSES.** The Committee on Rules and Legislative Administration must establish a budget for each standing committee of the House for expenses incurred by the committee, its members, and its staff in conducting its legislative business. Per diem expense allowances paid to members during sessions or at times set by the Speaker or the Committee on Rules and Legislative Administration must not be charged against the budget. A committee must not incur expenses in excess of its authorized budget.

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

**8.20 APPOINTMENT OF EMPLOYEES.** The Committee on Rules and Legislative Administration must designate the position of and appoint each employee of the House and set the compensation of each officer and employee. A record of the appointments, including positions and compensation, must be kept in the office of the House Controller and must be available for inspection by the public.

The Committee on Rules and Legislative Administration must establish the procedure for filling employment vacancies when the Legislature is not in session.

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

## **ARTICLE 9 CONDUCT**

**9.01 CODE OF CONDUCT.** The Committee on Rules and Legislative Administration, after receiving the recommendation of the Committee on Ethics, must establish and maintain a code of conduct for members, officers and employees of the House.

**9.05 CAMPAIGN ACTIVITIES.** An employee of the House must not participate in campaign activity during working hours. An employee must not be obliged to participate in campaign activities as a condition of employment. A member is not an employee of the House for purposes of this Rule. House equipment must not be used for campaign activities. The Committee on Rules and Legislative Administration must define the terms of and implement this Rule.

**9.10 SOLICITATIONS DURING LEGISLATIVE SESSION.** During regular session, a member of the House, the member's principal campaign committee, a political committee with the member's name or title, or a committee authorized by the member that benefits the member, must not solicit or accept a contribution from a registered lobbyist, political committee, or political fund.

A member must not accept compensation for lobbying.

**9.20 ACCEPTANCE OF AN HONORARIUM BY A MEMBER.** A member must not accept an honorarium for a service performed for an individual or organization that has a direct interest in the business of the House, including, but not limited to, a registered lobbyist or an organization a lobbyist represents. The term "honorarium" does not include reimbursement for expenses incurred and actually paid by a member in performing a service.

Alleged violations of this Rule must be referred to the Committee on Ethics under Rule 6.10. If the Committee on Ethics finds that an honorarium was accepted in violation of this Rule, the Committee must direct its return. If it is not returned, the committee may recommend disciplinary action under Rule 6.10.



**9.21 ACCEPTANCE OF TRAVEL AND LODGING BY A MEMBER OR EMPLOYEE.** A member or employee of the House must not accept travel or lodging from any foreign government, private for-profit business, labor union, registered lobbyist, or an association thereof, except payment permitted by law of expenses that relate to the member's or employee's participation as a legislator or legislative employee in a meeting or conference. This Rule does not apply to travel or lodging provided to a member in the regular course of the member's employment or business.

**9.30 DENIAL OF COMPENSATION WHILE DETAINED.** A member must not receive compensation, mileage, or living expenses while the member is incarcerated or on home detention due to a criminal conviction.

**9.40 NO SMOKING IN HOUSE AREAS.** Smoking is prohibited in the areas of the Capitol and State Office Building under the jurisdiction of the House, including the House Chamber and Retiring Room and galleries, hearing rooms, minor corridors and offices, private offices, and lounges.