

Negotiating Session #3, November 29, 1978, 10:00 A.M., Room 15, State Capitol

Chairman: Rep. Irvin Anderson

Rep. Anderson presented the DFL position paper (Exhibit A) on Committee Structure. The DFL agreed to combine Education and Higher Education. Energy and Judiciary should be new committees. There would then be 16 standing committees, plus Rules and Legislative Administration along with 6 divisions of standing committees. The word "Housing" would be added to the "Committee on Commerce and Economic Development" and a new committee created called "Committee on Commerce and Economic Development and Housing". The division of School Aids would have the status of a standing committee. Judiciary Committee would be a new committee. The Committee on Rules and Legislative Administration would have a co-chair. The chairmen and vice chairmen would be of the same caucus.

Rep. Searle indicated that they could not approve a Division of Appropriations called "State Buildings/Claims". The committee should allow flexibility on the size of committees.

Rep. Knickerbocker inquired "if the caucuses split the committees evenly on all committees, how do we go about solving impasses? Should that be handled in the Rules?"

Rep. Casserly indicated that we would have to deal with that problem and there could probably be some modification in the rules.

Rep. Knickerbocker questioned if there was some special reason why Workmen's Compensation should be assigned to Labor/Management Committee.

Rep. Searle inquired whether the DFL would be willing to exchange Labor/Management for Government Operations. The statement was made that workmen's Compensation was in Government Operations previously.

Rep. Knickerbocker: Would we then do away with the subcommittee on Workmen's Compensation in Government Operations?

Rep. Anderson: It is not necessary to do away with the subcommittee because it also hears unemployment compensation problems.

Rep. Knickerbocker: Would the chairman have to come to Rules with unique situations - such as the creation of a new subcommittee.

Rep. Anderson: If the chairman thinks it's of substantial significance, he could go to the Rules Committee and request creating a new subcommittee.

Rep. Casserly: There should be a procedure whereby new subcommittees could be created. Perhaps we should have a continuation of the negotiating committee or a subcommittee of Rules to handle requests for the creation of subcommittees. We should have some control over subcommittees. Local and Urban Affairs had 6 subcommittees last session. Subcommittees met more than the full committee. Subcommittees are very important. That's where the real work is done.

Rep. Knickerbocker: Have you taken into consideration the amount of workload each committee has so that it is balanced and the type of policy-making done so that there's a sharing in the making of policy as well as the sharing of numbers.

Rep. Anderson: It is difficult to predict the workload of any committee.

Rep. Nelsen: We have to have an escape hatch for special cases in the creation

Rep. Nelsen: Let's get back to the naming of the committees. Make some comparisons.

Rep. Anderson: We're open for discussion on the creation of a 5th division of Appropriations.

Rep. Searle: We talked about 4 with the possible creation of a 5th.

Agreed: That Housing should be included with Commerce and Economic Development. COMMERCE, ECONOMIC DEVELOPMENT and HOUSING.

Rep. Searle: First, Higher Education should be a full committee. We would want a one-vote margin in the following committees: Appropriations, General Legislation and Veterans Affairs, Governmental Operations, Health and Welfare and Taxes.

#### RECESS

Rep. Anderson: Each side will present its proposal and if we're not in agreement, then set that aside. We should go on to election contests. We would agree to doing away with Division of State Buildings/Claims. The standing committees:

Criminal Justice

Education with a Division of Higher Education with standing committee status  
Energy

Rep. Knickerbocker: Should the caucus that chairs Appropriations have any kind of advantage as to Divisions of Appropriations?

Rep. Anderson: That is subject to negotiation.

Rep. Searle: Have you given any thought as to how Claims should be settled? We feel that Criminal Justice and Judiciary could be a combined committee. We agree that Higher Education could become a Division of Education and increase the size of the committee. How about a committee of Energy and Utilities?

Rep. Anderson: Come back next meeting and discuss and perhaps reach an agreement.

Rep. Kostohryz: I agree with Irv that we should have a committee of Crime Prevention and Corrections.

Rep. Anderson: We're on agreement on an Energy Committee. I would like to check back on whether there should be a 5th Division of Appropriations and Criminal Justice and Judiciary. We would be agreeable to a Committee of Energy and Utilities.

#### ELECTION CONTESTS:

Mr. Joel Michael (Research Analyst, House Research) presented a paper on election contests (Exhibit C).

Rep. Searle: Can the Secretary of State refuse to issue a certificate of election?

Mr. Michael: The law states that the Secretary of State or the County Auditor shall issue the election certificate. The 1971 change in the law exempted legislative races.

#### DISCUSSION

Mr. Michael: In the event the district court judge finds against an individual who won so that the election is overturned, the files are given the Legislature. Doesn't know how the court would rule under the 1971 law.

Rep. Anderson: Is a case for recount appealable to the Supreme Court?

Mr. Michael: Yes.

Rep. Anderson presented paper on election contests (Exhibit D)

Rep. Searle: We would like to look at it and study the statement and come back to this.

Rep. Knickerbocker: If there is no election certificate issued there would be a 66-67 split. How would we handle this?

Rep. Anderson: I don't know. We could vote on the report from the judicial system and then send it to a standing committee for hearings.

Rep. Nelsen: Is it your intent to have this a part of the negotiated agreement? We should do some homework on this.

Set the agenda for the next meeting.

Rep. Searle will chair the next meeting to be held on Monday, December 4, 1978 at 2:00 P.M.

Rep. Searle: Agenda will consist of:

1. Time frame on contract in the event of a 67-67 tie.
2. Committees -- number of committees (each side to re-submit the political structure of the committees)
  - chairmen and vice-chairmen
  - whether there should be a one-vote majority on committees
  - subcommittees
  - Speaker and Rules Committee (IR will present their paper on the authority of the Speakership and the Rules Committee)

Rep. Johnson: How are we going to break a deadlock on the numbers on committees? Shouldn't we address #2 before #3.

Rep. Nelsen: We could provide an avenue to breaking a deadlock (rule change or whatever).

Rep. Anderson: We should get into that area as we discuss the committees.

Rep. Searle: The most important thing is the length of the contract.

Rep. Johnson: Are you looking for a paper on the length of contract?

Rep. Searle: No.

Rep. Anderson: We will present a paper which will include a provision that when one side reaches a 68 majority, then the contract is null and void.

Rep. Anderson: Requested consideration of holding an evening meeting on Monday.

Rep. Searle: Will not agree to a night meeting. Early afternoon or late

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afternoon so that we can adjourn by 5:30. IR has a dinner meeting Monday evening (victory celebration). IR does not want evening meetings. Press won't be able to get there.

AGREED: Meet Monday afternoon at 2:00 P.M. and Tuesday evening at 5:30 P.M.

IR will present Speakership and Rules Committee paper.

Enc.