

SESSION No. 5      Dec. 5, 1978, 5:30 P.M., Rm. 15, State Capitol

All members present.

Anderson, I., chaired the meeting.

The first item on the agenda was a presentation by Peter Levine of House Research informing the committee of the powers and responsibilities of the Speaker of the House regarding special commissions and boards. (Ex. A).

Searle: How much more work will be needed to lay out all the responsibilities as asked by the negotiating committee.

Levine: I believe that we got almost everything. We are still researching to make sure that we did get everything. We didn't have much time to check our work and will try to find any omissions we have made.

Anderson, B: What about Section 3.

Levine: Procedural matters are not included in the list. We listed all of the substantive matters.

Knickerbocker: On boards and commissions appointed by the speaker. Do those automatically expire with the legislative term or are they in effect until the terms expire.

Levine: Would have to look at all the expiration dates.

Sieben: The guts of the speaker's duties are appointing chairmen, committee members, etc. Why not give the duties to a committee on committees, etc., or the rules committee.

Knickerbocker: We should be talking about committee structure first. Respective caucuses who have the committee to select their chairmen and members of committees.

Searle: Some of the appointments are in the statutes. It may be that we may have to change the statutes. Have you singled out any ones that will have to be changed early.

Levine: They will be easy enough to do (such as the Audit Commission).

Anderson, B: What about those with reference to the Minority Leader and Majority Leader.

Levine: I think there must be something in the statutes about references to minority or majority.

Cassery: Why doesn't the speaker come before the President of the Senate for the Governor's post.

Nelsen: How did we get into the tradition of 3 and 5 members of conference committees.

Levine: That's in the joint rules.

Discussion of committee structure.

Searle: When we propose 16 committees plus 6 subcommittees, these should be laid out in a package. I don't see the importance that the DFL attaches to subcommittees.

Anderson, I: The political structure deals with equal numbers or one-person advantage.

Searle: You've taken a stand that all committees should be equal. On Point C the DFL holds there should be equal numbers of IR and DFL members.

Anderson, B: How are we going to resolve the impasses that might occur.

Anderson, B: By amendments to the legislation would be a method of resolving impasses. A tie vote -- it automatically would pass legislation out of a committee.

Anderson, I: One vote advantage may not help to get legislation passed out of committee.

Searle: You need a strong committee chairman. When a bill is brought up the chairman can say that the bill has been brought up.

Anderson, I: Are you concerned that if a bill received a tie vote and failed that the bill would never be heard again.

Searle: All 134 members should be allowed to vote on legislation. If nothing comes to the floor then all 134 will not be given the opportunity to vote. Legislation should not be automatically allowed to be blocked in committee. This session we're going to see fewer bills get to the floor -- maybe that will be better. The more balanced committee system, the better the legislation.

Carlson: Would you support a rule that would allow every bill introduced to be heard.

Anderson, I: No.

Casserly: There's that one solution -- figure out a rule. One bill in the whole session to be concerned about is the tax bill. The reason you're worried is the about the governor's tax bill. We know we're going to pass a tax bill. How do you maximize the possibility (the point of the whole discussion). Should the whole discussion take place in committee, on the floor, or in conference committee.

Searle: That may be one of the bills -- not the only bill. Lots of bills brought on the floor that have amendments that might have hurt them. You don't want to see that type of legislation out. I think there will be a number of politically sensitive bills, looking at this in the broader sense. We're rejecting your premise that it's only the tax bill. We are trying to find a way to get bills heard.

Dec. 5, 1978

p. 3

Knickerbocker: We never had any discussion on the basis that the committee system should be structured for a political advantage. Some bills break down politically.

Kostohryz: A tie vote defeats a bill. On the House floor, a member is allowed to progress a bill. Maybe a member could ask to have a bill tabled and go to the chairman for help.

Johnson: You can't write legislation on the floor. The basic question is do you want it down in committee or do you want to drag out the session. We intend to develop a legislative program. We don't need to structure the legislative process in such a way that the executive branch gets its way. Legislation should be developed and passed in our body. Legislation should be well dressed-down in committee.

Sieben: The purpose is going to be to pass legislation. The compromise, or basic compromise, should be made in committee. The better way would be to have equal numbers on all committees.

Searle: How do you write a rule or structure the whole thing so that a particular wrong could be righted.

Casserly: Do we confuse the role of our branch of government.

? Back to where you want the governor's program heard -- in committee, on the floor, or in conference committee.

Searle: You're saying we're being devious.

Casserly: It takes intelligence to be devious.

Searle: Our caucus would pledge that any DFL bills that came to our committees would have a fair hearing.

Anderson,I: If you're concerned that a bill is not going to get out of a committee because of a tie vote -- we have the same concern.

Kostohryz: Last time the tax bill got a 100 percent vote.

Anderson, I: Subcommittee structure -- we should have a discussion as to whether or not we could agree on a formal subcommittee structure.

Anderson,B: Who is going to handle committees.

Anderson,I: Do you agree that we should formally work toward the end of so many subcommittees.

Searle: Wants to respond to importance of subcommittees. Are you still considering that each committee chairman should have a full time committee aid. Would that also carry over to subcommittees.

Anderson, I: Are you concerned about the number of Administrative Assistants.

Searle: No. Some subcommittees might need an aid or it could be just to keep people busy. The feeling is that staff in House Research does not have to be duplicated over the in SOB.



Dec. 5, 1978

p. 4

Anderson, I: We ought to reevaluate the number of assistants. We have no objection to discussing that.

Searle: What should the subcommittees be and how far should they be elevated.

Knickerbocker: Is it your thinking that all members of the standing committees should be on one of the subcommittees.

Anderson, I: It could work out that way. (Discussion on staffing.) If there's increased workload, then there should be additional staff. If individual chairmen can show you that he needs a secretary then it probably would warrant having an individual secretary instead of sharing.

Nelsen: Do you have any standard practice as far as AA's and secretarial staff for committees.

Anderson, I: Committee chairmen come before the rules committee. Every committee has an AA and a secretary.

Faricy: 6 aids to Appropriations committee.

Anderson, I: Government Operations had one AA and 2 secretaries during the session.

Casserly: Every committee is different. We often used the steno pool for committee help and that help shouldn't necessarily come from the pool.

Searle: A concern of mine. What role should the House Research play during a legislative session. -- 22 people on the staff doing research (apparently Searle was talking about the DFL staff here)

Anderson, I: Do you want to use professional people to do committee scheduling, etc. The AA's do all sort of jobs -- handling people who want to give testimony, scheduling all subcommittee hearings both at the capitol and other places in the state. We don't want to use House Research as committee AA's.

Searle: There's duplication in services there.

Casserly: The problem is the 12-14 hour days during the session -- not the 6 hour days during the interim. There's a balancing act here.

Anderson, I: We ought to consider more outstate hearings during a legislative session. People want to see legislation being made and the chance to give testimony. It would help our image if we could schedule hearings in outstate Minnesota. More hearings on bills so people all over the state could get involved.

Johnson: We have a lot of interns who help out during the legislative session and perhaps they could do a lot of work on subcommittees.

Knickerbocker: According to your proposal, each chairman could create up to 2 subcommittees. If additional subcommittees are necessary, then the chairman would go to the Rules Committee.

Dec. 5, 1978

p. 5

Searle: We don't want to elevate subcommittees so that there are 52 big committees.

Recess.

Anderson,I: Let's go to No. 2 on the AGenda. Speakership and the Rules Committee.

Sieben: The only logical way is to decide the speaker's job -- functions and duties maybe we should strip the Speaker of all duties in order to get some compromise. Take away a substantial part of the duties. He would still be an important part of the House. Doesn't see any other alternative other than to strip many of the functions or we'll never elect a Speaker.

Searle: In any contract, could envision that we would agree on the speaker's duties.

Sieben: Appointments are important but not as important as assigning chairmen and members of committees and conference committee members.

Anderson,I: We could adopt a rule whereby statutory powers of the speaker has to be subjected to the Rules Committee. We're not anxious to change the rules (they're well thought out).

Searle: The rules are good.

Anderson, I: Change by document the rules and powers of the speaker..

Sieben: If someone gets the majority, then that would be an all new ball game.

Searle: During at least the first part of the session whatever we would agree to would run through the first part of the session and if there's a change then the change would be made during the interim.

Anderson,I: We would want to discuss all possibilities that might exist.

Sieben: If anyone should get the majority, then it should go back to a strong speaker.

Knickerbocker: Can we agree on powers of the speaker. Discussion.

Section 2 -- Rules Committee

Anderson,I: Would you consider co-chairs.

Searle: How do you see the responsibilities.

Anderson,I: Doesn't see any problem.

Searle: Concerned with bills in the last month.

Anderson,I: Go back to old rule and cut off motions and resolutions after a certain date.

Dec. 5, 1978

p. 6

Casserly: (On conference committee members) Change the rule on the number of conference committee members. Co-chair and alternate chairs each meeting.

Carlson: Set the time for subcommittees to meet or have to give something like 48-hour notice.

Set next meeting for Thursday, Dec. 7, 1978 at 10:00 A.M. Each side to prepare a paper on the role of the speaker and the rules committee.