

A

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December 5, 1978

TO: House Organization Negotiation Committee

FROM: House Research Department

The attached is in response to your request regarding the powers and responsibilities of the Speaker, and the Chairs of the Committees on Taxes, Appropriations, Governmental Operations, and Rules according to Statute, Rule and custom.

The lists are not exhaustive; they include only those items which could be identified in the last 20 hours. For example, a complete review of Session Laws was not possible but we assume that relevant items have been codified and are therefore included in our review of the statutes. Further, powers and responsibilities established by custom would need to be identified through an interview process since these are not in any written form. Only a few are noted in the attached.

We will continue to update this list. As new information is gathered from the Clerk of the House, caucus research staffs, the Revisor, our own research or from other sources, we will edit the list and supply it to you.

HRD/PBL/vgc

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*Other than those related to their specific committee functions.

Section

1

Powers and Responsibilities of the Speaker

as Established by Legislation,

Related to Commissions, Special Committees, and Boards

Legislative Commission to Review Administrative Rules

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn.Stat. §3.965.

Legislative Advisory Commission

Chairmen of the Appropriations and Taxes Committees serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn.Stat. §3.30

Legislative Audit Commission

Speaker serves as a member of the Legislative Audit Commission. The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn.Stat. §§3.97 - 3.98.

Legislative Coordinating Commission

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has budgetary review authority over statutory commissions the majority of whose members are legislators. Minn.Stat. §§3.303 - 3.305.

Education Commission

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn.Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

Midwestern Education Board

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn.Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn.Stat. §121.843.

Great Lakes Basin Commission

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn.Stat. §1.22.

Indian Affairs Intertribal Board

The Speaker appoints three house members to serve on the Indian Affairs Intertribal Board. This board acts as a liaison between state government and the Indian tribes and is to assist the tribes in various matters in their relationships with private agencies and government. Minn.Stat. 3.922.

Commission on Interstate Cooperation

The Speaker serves as an ex officio, honorary member of the commission and appoints the five members of the commission from the house of representatives, so long as he retains the power to appoint members of standing committees of the house. (The law creates a five member standing committee of both the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn.Stat. §2.09.

Iron Range Resources and Rehabilitation Board

The Speaker appoints the five house members on the Iron Range Resources and Rehabilitation Board. All expenditures and projects made by the commissioner of iron range resources and rehabilitation must be submitted to the board for a recommendation of approval, disapproval or modification. The board must approve or disapprove all disbursements. Minn.Stat. §298.22, subd. 2.

Joint Legislative Committee on Solid and Hazardous Waste

Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing

research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L. 1978, C. 728 §2.

Legislative Commission on Minnesota Resources

Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn.Stat. §§86.06 - 86.12.

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn.Stat. §1.34.

Mississippi River Parkway Commission

Speaker appoints the three house members of the commission. The commission is charged with working toward planning and development of the great river road or the Mississippi River Parkway and to aid in securing the location of federal parks within Minnesota. Minn.Stat. §161.1419.

Legislative Commission on Pensions and Retirement

Speaker appoints the five house members of the commission. The commission is charged with studying and investigating public retirement systems. Minn.Stat. §3.85.

Steering Committee of the MTC Directing the Feasibility Study of the Downtown People Mover

Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

Personnel Board

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn.Stat. §43.03.

Legislative Commission to Study Public Broadcasting in the State

Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public broadcasting in Minnesota. (Effectively expires 1-15-79.) L. 1977, C. 445 §3.

Privacy Study Commission

Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn.Stat. §15.169.

Small Business Advisory Task Force

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. (Expires 7-1-79.) L. 1978, C. 709 §2.

Tax Study Commission

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn.Stat. §3.86.

Voyageurs National Park Citizens' Committee

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83.) Minn.Stat. §84B.11.

Council on Economic Status of Women

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81.) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

Workers Compensation Study Commission

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78.) L. 1977, C. 342 §27.

Laws 1977, Chap. 455 §19, Subd. 2.

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives *** who shall be involved in the ongoing process" of a study of economic development by the State Planning Agency.

Laws 1977, Chap. 430 §28, Subd. 2.

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security.

Laws 1977, Chap. 311 §12

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1980 legislative session.

Section

2

Powers and Responsibilities of the Speaker

as Established by Statute,

Other Than Those Related to Commissions, Special Committees and Boards

Standing Committees as Interim Study Committees

For House committees, vacancies shall be filled by the last elected speaker of the House. Minn. Stat. §3.921.

Gubernatorial Succession

Order of succession is the lieutenant governor and then the president of the senate. If there is no president of the senate, then the speaker of the house shall become governor for the remainder of the term.

In case of death or other failure to take office of the governor elect, the lieutenant governor, the president of the senate, or the last duly elected speaker of the house take office in that order. Minn. Stat. §4.06.

Legislative Manual

Speaker to approve students edition of Legislative Manual which is prepared by the Secretary of State. Minn. Stat. §5.09.

Lobbyist Report

Director of Ethical Practices Board to report names of registered lobbyists to speaker. Minn. Stat. §10A.05.

Conflicts of Interest

Members of house to deliver conflict of interest statements to speaker. Minn. Stat. §10A.07.

Statements of Economic Interest

Ethical Practices Board to notify speaker of names of individuals filing statements. Minn. Stat. §10A.09, Subd. 3.

Appointments to Agencies

Ethical Practice Board to submit copies of any statements which candidates must file with it to the speaker. Minn. Stat. §15.0597, Subd. 5.

Acting Department Heads

Notice of designation of a commissioner or an acting commissioner shall be filed with the speaker. Minn. Stat. §15.06, Subd. 5.

Transmittal of Judgments

If any candidate for the house be convicted of a violation of §210A.01-.44, a certificate of such conviction is to be transmitted to the speaker. Minn. Stat. §210A.40.

Section

3

Powers and Responsibilities of the Speaker

As Established by House Rules and Joint Rules, 1977-78

House Rules

(1) Presiding Officer of the House

- a) Power to call the House to order. Rule 1.1
- b) Power to excuse members during a call of the house. Rule 2.2
- c) Power to require any motion to be in writing. Rule 3.1
- d) May allow 2 minute statement of reasons why house should not adjourn after nondebatable motion to adjourn has been made.
Rule 3.3
- e) Power to recognize members on floor. Rule 4.2
- f) Power to call house or any member to order. Rule 4.3
- g) General powers of a presiding officer under rules of parliamentary procedure. Rule 7.1
- h) Power to order Sergeant at Arms to take action. Rule 7.9

(2) Appointive Powers

- a) May appoint another member to preside over the committee of the whole. Rule 1.5
- b) Appoints members of standing committees. Rule 6.1
- c) Designates the number of minority members on standing committees.
(Minority selects specific members who serve on committees) Rule 6.2
- d) Appoints chief Sergeant at Arms or designates him from among those elected by the House. Rule 7.1
- e) May appoint temporary Speaker pro tem. Rule 7.2

(3) Administrative Duties and Powers

- a) Directs the chief clerk in preparation of general orders. Rule 1.7
- b) Power to issue permits for admission onto the house floor for nonmembers. Rule 4.9

- c) Gives permission to members to be absent from a session. Rule 4.1
- d) Prepares schedule of regular committee meetings. Rule 6.3
- e) Power to set times during the interim when per diems are not charged against committee budgets. Rule 6.12
- f) General control of chamber, corridors, passages, and rooms assigned to the use of the House. Rule 7.1
- g) Power to direct the chief clerk in the performance of his duties. Rule 7.3

(4) Control of Bill Flow

- a) Presents petitions, memorials, and other papers to full house. Rule 4.10
- b) Refers bills to standing committees after first reading. Rule 5.4
- c) Power to refer committee bills to committee. Rule 5.5

(5) Official Representative of the House

- a) Signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas. Rule 7.1

Joint Rules

- (1) Presiding officer at joint conventions. Rule 1.01
- (2) Certifies election results in conjunction with the President of the Senate. Rule 1.08

Section

4

Powers and Responsibilities of the Chairs of House Committees
on Taxes, Appropriations, Governmental Operations,
and Rules as Established by Statute

A. Taxes

Legislative Advisory Commission

Is a member of the LAC. Minn. Stat. §3.30.

Tax Study Commission

Is a member of this commission. Minn. Stat. §3.86.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

B. Appropriations

Legislative Advisory Commission

Is a member of the LAC. Minn. Stat. §3.30.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

C. Governmental Operations

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

D. Rules

Legislative Advisory Commission

Fills vacancies in LAC during interim periods if the last speaker is not available. Minn. Stat. §3.30.

Legislative Commission on Pensions and Retirement

Fills vacancies in this commission during interim if the last speaker is not available. Minn. Stat. §3.85.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

Education Commission

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.82.

Midwestern Education Board

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.844.

Powers and Responsibilities of the Chairs of House Committees
on Taxes, Appropriations, Governmental Operations,
and Rules as Established by House Rules and
Joint Rules, 1977-1978

House Rules

Any bill relating to taxes or raising revenues shall be acted upon whenever requested by the Chairman of the Tax Committee, and any appropriation bill shall be acted upon whenever requested by the Chairman of the Committee on Appropriations. (After April 25, 1977) Rule 1.10.

Joint Rules

None.

Powers and Responsibilities of the Speaker
as Established by Custom

1. Appoints House members to conference committees.
2. Is the principal House spokesman and liaison to the Senate and the Executive.
3. Is the principal House spokesman to the public.

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December 6, 1978

TO: House Organization Negotiation Committee

FROM: House Research Department

The attached amends our memo of December 5, 1978 regarding the powers and responsibilities of the speaker, and the chairs of the committees on taxes, appropriations, governmental operations and rules according to statute, rule, and custom. This amendment responds to the questions asked regarding (1) expiration dates of commissions and appointees, and (2) statutory references to an imbalance (majority and minority) of membership in the House.

Replace Section 1 of the December 5 document with Section 1 attached. This incorporates expiration dates of commissions and appointees as well as correct two statutory references which were misstated in the original document.

In regard to the question of statutory references to majority and minority members, three references have been found:

Minn. Stat. §3.303 (Legislative Coordinating Commission)

Minn. Stat. §3.97, Subd. 2. (Legislative Audit Commission)

Minn. Stat. §43.03 (Personnel Board)

Copies of the three references listed above are attached.

One other minor error has been found in Section 2, page 1: Appointments to Agencies, (at the bottom of the page) the statutory reference should be changed to Minn. Stat. §15.097, Subd. 6. It should read as follows:

Secretary of State to submit to the speaker documents which candidates must file with the Ethical Practices Board.

We are continuing to search for other references in legislation and rules related to the issue of leadership powers. No additional references have been found to date. We believe it is safe to assume that the document includes all statutory references to leadership powers and all the main references to those powers in house rules and joint rules.

HRD/PBL/vgc

Attachments

3.303 LEGISLATIVE COORDINATING COMMISSION; CREATION AND ORGANIZATION. Subdivision 1. A legislative commission is hereby created to be known as the legislative coordinating commission, designated herein as the "commission", to coordinate the legislative activities of the senate and the house of representatives.

Subd. 2. The membership of the commission shall consist of the majority leader of the senate, the president of the senate, two senators appointed by the majority leader, the minority leader of the senate, and one senator appointed by the minority leader; and the majority leader of the house of representatives, the speaker of the house of representatives, two representatives appointed by the speaker, the minority leader of the house of representatives, and one representative appointed by the minority leader. Each member shall serve until a successor is named during a regular session following his appointment. A vacancy shall be filled for the unexpired term in the same manner as the original appointment.

Subd. 3. The president of the senate and the speaker of the house shall alternate annually as chairman of the commission.

Subd. 4. The members of the commission shall serve without compensation but shall be reimbursed in the same manner as members of standing committees of the senate and the house of representatives.

[1973 c 598 s 1; 1975 c 271 s 6]

LEGISLATIVE AUDIT COMMISSION

3.97 AUDIT POLICY; CREATION OF COMMISSION; TRANSFER OF FUNCTIONS OF PUBLIC EXAMINER. Subdivision 1. Continuous legislative review of the effect of grant-in-aid programs, the spending of public funds and their financing at all levels of government is required in the public interest to enable the enactment of appropriate legislation.

Subd. 2. A legislative commission to be known as the legislative audit commission, designated herein as "the commission" is hereby created. The commission shall consist of the majority leader of the senate and the president of the senate, or their respective designees; the chairman of the senate committee on taxes or his designee, who shall be a member of the senate tax committee; the chairman of the senate committee on governmental operations or his designee, who shall be a member of the governmental operations committee; the chairman of the senate committee on finance or his designee, who shall be a member of the senate finance committee; and three members of the senate appointed by the senate minority leader; the speaker of the house and the chairman of the house committee on rules, or their respective designees; the chairman of the house committee on taxes or his designee, who shall be a member of the house tax committee; the chairman of the house committee on governmental operations or his designee, who shall be a member of the house governmental operations committee; the chairman of the house appropriations committee or his designee, who shall be a member of the house appropriations committee; and three members of the house appointed by the house minority leader. The appointed members of the commission shall serve for a term commencing upon appointment and expiring at the opening of the next regular session of the legislature in the odd numbered year and until a successor is appointed. A vacancy in the membership of the commission shall be filled for the unexpired term in such a manner as to preserve the representation established by this subdivision.

43.03 PERSONNEL BOARD CREATED. Subdivision 1. The personnel board of the state of Minnesota is hereby created and established. It shall consist of seven members appointed by the governor with the advice and consent of the senate. The governor may select one appointee each from lists submitted by the speaker of the house, the minority leader of the house, the majority leader of the senate, and the minority leader of the senate. A member of the legislature is ineligible for appointment to the board. No member of the board shall hold any other public office or public employment, the office of notary public or a military office excepted, and no person shall be appointed as a member of the board who has held a paid position in a political party within the two years immediately preceding his appointment. Each member shall take an oath of office before entering upon the duties of office. The chairman of the board shall be chosen by the members of the board from among their own number under such rules as they shall make. The chairman shall have the powers of a presiding officer.

Section

1

Powers and Responsibilities of the Speaker

as Established by Legislation,

Related to Commissions, Special Committees, and Boards

Legislative Commission to Review Administrative Rules

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn.Stat. §3.965.

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

Legislative Advisory Commission

Chairmen of the Appropriations and Taxes Committees serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn.Stat. §3.30.

Legislative Audit Commission

Speaker serves as a member of the Legislative Audit Commission. (Minority leader appoints three house members to the commission.) The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn.Stat. §§3.97 - 3.98.

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

Legislative Coordinating Commission

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has budgetary review authority over statutory commissions the majority of whose members are legislators. Minn.Stat. §§3.303 - 3.305.

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

Education Commission

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn.Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

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

Midwestern Education Board

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn.Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn.Stat. §121.843.

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

Great Lakes Basin Commission

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn.Stat. §1.22.

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

**Indian Affairs Intertribal Board

The Speaker appoints three house members to serve as nonvoting members on the Indian Affairs Intertribal Board. This board acts as a liaison between state government and the Indian tribes and is to assist the tribes in various matters in their relationships with private agencies and government. Minn.Stat. §3.922.

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

Commission on Interstate Cooperation

The Speaker serves as an ex officio, honorary member of the commission and appoints the five members of the commission from the house of representatives, so long as he retains the power to appoint members of standing committees of the house. (The law creates a five member standing committee of both

the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn.Stat. §3.29.

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

Iron Range Resources and Rehabilitation Board

The Speaker appoints the five house members on the Iron Range Resources and Rehabilitation Board. All expenditures and projects made by the commissioner of iron range resources and rehabilitation must be submitted to the board for a recommendation of approval, disapproval or modification. The board must approve or disapprove all disbursements. Minn.Stat. §298.22, subd. 2.

Joint Legislative Committee on Solid and Hazardous Waste

Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L.1978, C.728 §2.

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

**Legislative Commission on Minnesota Resources

Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn.Stat. §§86.06 - 86.12.

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

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn.Stat. §1.34.

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

Mississippi River Parkway Commission

Speaker appoints the three house members of the commission. The commission is charged with working toward planning and development of the great river road or the Mississippi River Parkway and to aid in securing the location of federal parks within Minnesota. Minn.Stat. §161.1419.

Term: Terms are coterminous with the regular legislative session.

Legislative Commission on Pensions and Retirement

Speaker appoints the five house members of the commission. The commission is charged with studying and investigating public retirement systems. Minn.Stat. §3.85.

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

**Steering Committee of the MTC Directing the Feasibility Study of the Downtown People Mover

Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

Personnel Board

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn.Stat. §43.03.

*Legislative Commission to Study Public Broadcasting in the State

Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public broadcasting in Minnesota. (Effectively expires 1-15-79) L. 1977, C. 445 §3; L. 1978, C. 793 §86.

Term: Vacancies are to be filled by appointing power.

*Privacy Study Commission

Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn.Stat. §15.169.

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

*Small Business Advisory Task Force

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. L. 1978, C. 709 §2.

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

Tax Study Commission

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn.Stat. §3.86.

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

Voyageurs National Park Citizens' Committee

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83) Minn.Stat. §84B.11.

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

Council on Economic Status of Women

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

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

*Workers Compensation Study Commission

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78) L. 1977, C. 342 §27.

Term: Members serve until expiration of the commission.

Laws 1977, Chap. 455 §19, Subd. 2.

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives *** who shall be involved in the on-going process" of a study of economic development by the State Planning Agency.

*Laws 1977, Chap. 430 §28, Subd. 2.

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security. The report was to be submitted by 1-1-78.

*Laws 1977, Chap. 311 §12

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1978 legislative session.

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

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

Minnesota House of Representatives

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December 7, 1978

TO: House Organization Negotiations Committee

FROM: House Research Department

The attached is in response to your request for a list of House members on the Legislative Commissions, Special Committees and Boards itemized in Section 1 of the House Research document related to Powers of the Speaker.

HRD/PBL/vgc

House of Representatives

Membership on

Legislative Commissions, Special Committees and Boards

Legislative Commission to Review Administrative Rules

Anderson, I.
Forsythe
Simoneau
Voss
Cumiskey

Legislative Advisory Commission

Kelly, W.
Norton

Legislative Audit Commission

Sabo
Samuelson
Kelly, W.
Sieben, H.
Norton
Erickson, W.
Searle
Dean

Legislative Coordinating Commission

Anderson, I.
Kelly, W.
Sabo
Laidig
Savelkoul

Education Commission

Fugina

Midwestern Education Board

Faricy, R.

Great Lakes Basin Commission

Jaros
Sieben, H.

Indian Affairs Intertribal Board

Clark
St. Onge
Laidig

Commission on Interstate Cooperation

Adams
Berglin
Erickson
Johnson, C.
Rice

Iron Range Resources & Rehabilitation Board

Battaglia
Begich
Fugina
Prahl
Samuelson

Joint Legislative Committee on Solid and Hazardous Waste

Casserly
Eckstein
Pehler
Voss
Wynia
Kaley
Searles

Legislative Commission on Minnesota Resources

Anderson, I.
Casserly
Munger
Norton
Knickerbocker
Searle
Kahn

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Areas
Commission

Lemke, R.
Sieben, M.
Stoa
Wieser
Laidig

Mississippi River Parkway Commission

McEachern
Sarna
Niehaus

Legislative Commission on Pensions & Retirement

Beauchamp
Moe
Patton
Reding
Biersdorf

Steering Committee of the MTC Directing the Feasibility Study of the
Downtown People Mover

Petrafeso

Personnel Board

Members of the Legislature are ineligible.

Legislative Commission to Study Public Broadcasting in the State

Arlandson
Beauchamp
Dean
Pehler
Anderson, Glen

Privacy Study Commission

Expired

Small Business Advisory Task Force

Anderson, Bob
Arlandson
White, Jim

Tax Study Commission

Kelly, W.
Evans
Fugina
Jacobs
Searles
Skoglund
Vanasek

Voyageurs National Park Citizens' Committee

Anderson, I.
Munger

Council on Economic Status of Women

Berglin
Enebo
Forsythe
Stanton
Lehto

Workers Compensation Study Commission

Adams, Leo
Kaley, Dick
Simoneau, Wayne

Laws 1977, Chap. 455 §19, Subd. 2.: Related to Economic Development Planning

No specific appointees

Laws 1977, Chap. 430 §28, Subd. 2.: Related to Department of Economic Security Reorganization

Clawson
Sieben, H.
Zubay

Laws 1977, Chap. 311 §12: Related to Emergency Phone Systems

Ewald
Welch

I-R Proposal for House Organization:
Contract, Committee Structure,
Rules Committee and Speaker

Tuesday, December 12, 1978

I. Written Contract

- A. Valid for the 1979 portion of the 71st legislative session; except that:
 - 1. if there is no change in the 67-67 split, the contract shall remain in force for the remainder of the 71st session;
 - 2. if either caucus obtains an organizational majority (i.e., 68 votes) during the 1979 portion of the 71st legislative session, the Speaker and the chairman of the Rules Committee may be changed, but the other provisions of the contract shall remain in force until the end of the 1979 portion of the 71st legislative session; and
 - 3. if either caucus obtains an organizational majority (i.e., 68 votes) during the 1979 portion of the 71st legislative session, the contract shall be subject to review and modification by the Rules Committee during the 1979 interim.
- B. Signed by all ten negotiators.
- C. Ratified by voice vote of the House on the first day of session.
- D. Published in the House Journal.
- E. The signatories of the caucus opposite from the caucus of the Speaker shall support the election of the Speaker on the first day of session.
- F. Upon ratification of the contract, the Rules Committee shall assume the functions of the Negotiation Team for the period of time that the contract remains in effect.

II. Committee Structure

A. Committee	<i>Line Taxes Take Speaker H. Rep. Co. Chr. Am. Sp. 1 Person Vote School Aids Higher Ed. full Com.</i>			No. of Subcommittees	Size Committees
	Caucus Chairing				
Agriculture	DFL			2	23
Appropriations	DFL			--	35
Education	DFL			--	11
Health, Welfare & Corrections	IR <i>P.F.L.</i>			--	11
Semi-State	IR			--	7
State Departments	IR			--	11
Commerce, Economic Development, & Housing	IR			2	29
Criminal Justice	DFL			2	23
Education	DFL			2	35
School Aids	IR <i>P.F.L.</i>			--	13
Higher Education	IR			--	13
Energy & Utilities	IR			2	27
Environment & Natural Resources	DFL			2	29
Financial Institutions & Insurance	DFL			2	27
General Legislation & Veterans Affairs	DFL			2	21
Governmental Operations	IR <i>P.F.L.</i>			2	33
Health and Welfare	DFL			2	27
Judiciary	IR			2	21
Labor-Management Relations	DFL			2	21
Local and Urban Affairs	IR			2	31
Rules and Legislative Administration	DFL <i>+</i>			--	26
Taxes	IR			2	31
<i>Local Aids & Property Tax</i>	<i>41</i>				
Transportation	DFL			2	29

B. Committee Chairmen and Vice-Chairmen; Division Chairmen and Vice-Chairmen; and Committee Members shall be selected by their respective caucuses in any manner they so choose.

C. Committee and Division Chairmen and Vice-Chairmen shall be members of the same caucus.

- D. The caucus which chairs a specific committee, division or subcommittee shall have a one vote majority among its members.
- E. Powers of the committee chairman shall be as presently constituted except that a majority of the committee members can force action on legislation within the committee.
- F. Subcommittee chairmen shall be members of the same caucus as the committee chairman.
- G. There shall be no more than two subcommittees per committee, designated by the chairman, unless agreed upon by the Rules Committee when requested by the appropriate committee chairman.

III. Rules Committee

- A). The Rules Committee shall be chaired by a DFLer and be composed of an equal number of members of both caucuses selected by their respective caucuses in any manner they so choose.
- B). No more than 26 members.
- C). To fill vacancies in those commissions and boards listed in Section IV of the House Research memorandum of December 5, 1978 (i.e., these specified by law to be filled by the Rules Committee), the Rules Committee shall appoint a proportionate number of DFLers and Republicans. The caucus that suffers the vacancy shall choose the successor who shall be appointed by the Rules Committee.
- D). The Rules Committee shall devise a method to determine the proportionality of appointments to those commissions and boards listed in Section I of the House Research memorandum dated December 6, 1978. Upon devising such a method, each caucus shall select members for those commissions and boards in any manner it chooses.
- E). The power to hire, fire and reassign House employees ~~shall be discussed in conjunction with space and staff.~~
- F). The Rules Committee shall be scheduled to meet on a regular basis with proper notification given to each member.
- G). All duties presently provided in the rules remain the same with the following modifications:
1. Reference of bills to committee. The Speaker shall make the initial reference unless the chief author objects to the reference on the same day as the bill is referred. In this case, the bill will be referred to the Committee on Rules and Legislative Administration for referral to committee. The Rules Committee report on the referral is not subject to objection on the floor. If the Rules Committee does not make such a reference within five legislative days, the referral of the Speaker shall stand.
 2. Before action by the full House, all constitutional amendments shall be referred or re-referred to the Committee on Rules and Legislative Administration.
 3. No amendment to the report of the Committee on Rules and Legislative Administration on the Permanent Rules of the House shall be allowed on the floor of the House.
 4. The Speaker's power to supervise the Chief Clerk under Rules 7.3 shall be subject to review by the Committee on Rules and Legislative Administration.
- H). The Rules Committee shall retain all other present powers; and a majority may place an item upon the agenda of any meeting.

IV. Speaker

- A. The Speaker shall be an Independent-Republican; shall represent the House of Representatives at all ceremonial functions; and shall be the liaison with the Governor's office and the Senate.
- B. The power to require any motion to be in writing shall be subject to consultation between the Caucus Leaders if abused.
- 39 C. Directs the Chief Clerk in preparation of General Orders. Committee reports shall be given their second reading in numerical order of introduction with House Files placed ahead of Senate Files.
- 20 D. Appoints Chief Sergeant-at-Arms.
- 3-B E. Power to issue permits for admission to floor continued with understanding that each caucus leader would have equal number of floor passes available to him until one hour before each daily session.
- F. Schedule of committee meetings shall be worked out by the agreement of the two caucus leaders.
- 3E G. The power to set times during the interim when per diems are not charged against committee budgets (Rule 6.12) may be exercised by either caucus leader.
- 39' H. Power to direct Chief Clerk. Speaker's supervision subject to review by the Committee on Rules and Legislative Administration. All supervision will be with the understanding that the Chief Clerk will fully cooperate with the caucus leader opposite the Speaker.
- I. Reference of bills to committee see Item III, Section G, Point 1.
- (J) J. Shall appoint all conference committees, except that conference committees shall be composed of an equal number of members from both caucuses and that the chief author shall be a member of the conference committee. *unless he refuses or at the request of chief author.*
- K. In filling a vacancy in a House Committee during interim, the Speaker shall follow the recommendations of the leader of the caucus which suffered the vacancy.
- L. Regarding appointments to statutory commissions, special committees and boards as provided by law:
 - 1. In those cases where statutory provisions refer to "minority leader", the Speaker shall make the appointments to assure proportional representation of the two caucuses.
 - 2. In making appointments of members of the opposite caucus, the Speaker shall follow the recommendations of that particular caucus leader.
 - 3. Where regular appointments are combined with automatic ex-officio appointments on a commission, special committee, or board,

See offered to accept this

balancing appointments will be made to another commission in order to assure overall proportionality.

5. In filling vacancies occurring after the initial appointments, the Speaker shall follow the guidelines set forth above.
- M. A copy of all reports or lists received by the Speaker pursuant to statutory direction shall, immediately upon receipt, be provided to the caucus leaders.
- N. Retain all other present powers.

V. Floor Motions

1. The position of floor leader alternates weekly between both caucuses until after the deadline for committee action when it alternates every legislative day.
2. All information pertaining to floor motions for that day shall be provided by the Speaker to both caucus leaders prior to the beginning of that day's session.

DFL PROPOSAL FOR HOUSE ORGANIZATION

DEC. 27, 1978

COMMITTEE STRUCTURE

1. Membership on all standing committees, divisions and subcommittees shall be evenly divided between DFL and IR caucus members.
2. Where the chairmanship of a committee is assigned to one caucus, the vice-chairmanship shall be assigned to a committee member of the same caucus.
3. The chairmen of all committees shall retain their present powers as defined by the rules.
4. There shall be no more than two subcommittees per committee, designated by the chairman, with the advice and consent of the caucus leader of that caucus holding the chairmanship. The allotted number of subcommittees for any committee may be increased upon approval of the Committee on Rules and Legislative Administration, when requested by the appropriate committee chairman. The chairmanship of subcommittees shall be assigned to a committee member of the same caucus as the committee chairman.
5. A majority of a committee's members may bring a matter before the full committee for consideration.
6. Except for the modifications noted in Number 7 below, committee jurisdictions shall be the same as in the 70th Session.
7. All existing committees and divisions shall be re-established for the 71st Legislative Session with the following modifications: Re-establish the Committee on Judiciary; create a new Committee on Energy and Utilities; combine Committees of Education and Higher Education and create a Division of Higher Education within the combined committee; add the word "Housing" to Committee on Commerce and Economic Development; and, re-establish the Division of Claims.
8. Committee chairmen, vice-chairmen, division chairmen and standing committee members shall be designated by the respective caucus ~~leaders~~ *in what new manner*

they desire

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

<u>COMMITTEE</u>	<u>CAUCUS CHAIRING</u>	<u>SIZE OF COMMITTEE</u>
Agriculture	DFL <i>I.R. Pugh</i>	20
Appropriations	I-R <i>D.F.L.</i>	36
Education Division	I-R <i>D.F.L.</i>	(12)
Health, Welfare & Corrections Division	I-R	(12)
Semi-State Division	I-R	(8)
State Departments Division	I-R	(12)
Claims Division	I-R <i>(out)</i>	(6)
Commerce, Economic Development & Housing	I-R	24
Criminal Justice	DFL	20
Education	DFL	28
School Aids Division	I-R <i>D.F.L.</i>	(12)
Higher Education Division	I-R	(14)
Energy & Utilities	I-R	24
Environment and Natural Resources	DFL	24
Financial Institutions and Insurance	DFL	24
General Legislation & Veterans Affairs	DFL	20
Government Operations	DFL <i>I.R.</i>	28
Health and Welfare	DFL	24
Judiciary	I-R	20
Labor/Management Relations	DFL	20
Local and Urban Affairs	I-R	28
Taxes	DFL <i>I.R.</i>	30
Transportation	DFL	26

Don't have the authority to run the appropriations comm.

SPEAKER

I. Selection

I.R.

- A. A DFL caucus member shall serve as Speaker.
- B. The I-R signatories to the organizational contract shall support the election of the Speaker on the first day of session.

II. Powers and Responsibilities -- All present powers and responsibilities are retained with the following modifications:

- A. Statutory Commissions, Special Committees and Boards (Refer to Sec. 1 of House Research Report dated December 5, 1978 as amended by Dec. 6, 1978).
 - 1. The Speaker will make all appointments to statutory commissions, special committees, and boards as provided by law. In those cases where statutory provisions refer to "minority leader", the Speaker shall make the appointments to assure proportional representation of the two caucuses.
 - 2. In making appointments of members of the opposite caucus, the Speaker shall follow the recommendations of that particular caucus leader.
 - 3. Where regular appointments are combined with automatic ex-officio appointments on a commission, special committee, or board, those regular appointments will be made so that all appointees, including those ex-officio, will be in a proportional balance between the two caucuses.
 - 4. Where an odd number of appointments is to be made to a particular commission, special committee, or board, balancing appointments will be made to another commission in order to assure overall proportionality.
 - 5. In filling vacancies occurring after the initial appointments, the Speaker shall follow the guidelines set forth above.
- B. Statutory power other than those related to commissions, special committees, and boards (Refer to Section 2 of House Research Report dated Dec. 5, 1978)
 - 1. Standing committees as interim committees. In making such appointments, the Speaker shall follow the recommendations of the leader of the caucus in which the vacancy occurs.

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

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

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

- 1c Power to require any motion to be in writing shall be subject to consultation between caucus leaders, if abused.
- 2b & 2c Appointments to standing committees. Appointments shall be made pursuant to the agreement on committee structure.
- 3a Directs the Chief Clerk in preparation of General Orders. Continues as at present but with the understanding that committee reports shall be given their second reading (before placement on General Orders) in numerical order of introduction with House Files placed ahead of Senate Files.
- 3b Power to issue permits for admission to floor continued with understanding that each caucus leader will have equal number of floor passes available to him until one hour before each daily session.
- 3d Schedule of committee meetings shall be worked out by agreement of the two caucus leaders.
- 3e The power to set times during the interim when per diems are not charged against committee budgets (Rule 6.12) may be exercised by either caucus leader.
- 3g Power to direct Chief Clerk. Speaker's supervision subject to review by the Committee on Rules and Legislative Administration. All supervision will be with the understanding that the Chief Clerk will fully cooperate with the caucus leader opposite the Speaker.
- 4b & 4c Reference of bills to Committee. See reference of bills under provisions relating to Committee on Rules and Legislative Administration.

D. Appointment of Conference Committees.

The Speaker shall appoint conference committees except that the chief author and another member of his caucus must be members.

or his Designee

RULES COMMITTEE

- I. The Committee on Rules and Legislative Administration shall be chaired by a member of the ^{DFL} I-R caucus. It shall be composed of an equal number of members from both DFL and I-R caucuses. There shall be a total of 22 members on the committee.
- II. There shall be a regularly-scheduled weekly meeting of the Committee on Rules and Legislative Administration. In addition, either the Rules Committee Chairman or caucus leader opposite the chairman may call a committee meeting upon notice to each member of the committee, provided there is no conflict with a regularly-scheduled standing committee or subcommittee meeting. If not occurring during a day on which the House meets, ample opportunity must be given to all members to attend. Either the chairman or caucus leader opposite the chairman may place an item on the agenda for the next meeting.
- III. All duties of the Committee on Rules and Legislative Administration as presently provided in the rules remain the same with the following modifications:
 - A. Reference of bills to committee. The Speaker shall make the initial reference unless the chief author objects to the reference on the same day as the bill is referred. In this case, the bill will be referred to the Committee on Rules and Legislative Administration for referral to a committee. The Rules Committee report on the referral is not subject to objection on the floor. If the Rules Committee does not make such a reference within five (5) legislative days, the referral of the Speaker shall stand.
 - B. Before action by the full House, all constitutional amendments shall be referred or re-referred to the Committee on Rules and Legislative Administration.
 - C. No amendment to the report of the Committee on Rules and Legislative Administration on the Permanent Rules of the House shall be allowed on the floor of the House.
 - D. The Speaker's power to supervise the Chief Clerk under Rule 7.3 shall be subject to review by the Committee on Rules and Legislative Administration.
- IV. The Chairman of the Committee on Rules and Legislative Administration shall continue to fill vacancies in those commissions and boards provided by statute (Refer to Sec. 4 of House Research Report). He shall make the appointments to assure proportional representation between the two caucuses. In making appointments of members of the opposite caucus, the Chairman shall follow the recommendations of that particular caucus leader.

FLOOR LEADER

Rotating Floor Leader

1. A DFL caucus member shall serve as floor leader.
2. All information pertaining to floor motions for a particular day shall be provided by the Speaker to the opposing caucus leader prior to the beginning of the day's session.

WRITTEN CONTRACT

I. Duration

- A. The provisions of the organizational contract shall expire when either side obtains an organizational majority. *should be 68 votes.*
- B. The caucus obtaining such a majority could consider continuing portions of the contract arrangements on a voluntary basis.

- II. The provisions of the organizational contract shall prevail over the provisions of House Rules where in conflict.
- III. The organizational contract shall be signed by the 10 negotiators.
- IV. The organizational contract shall be ratified by roll call of the House on the first day of the 71st Legislative session immediately following administration of the oath of office and published in the Journal of the House.
- V. Upon ratification of the contract, the Committee on Rules and Legislative Administration shall assume the functions of the negotiation team for the duration of the contract.

We must map out the process for the First Day of Session.

I-R Proposal for House Organization:
Contract, Committee Structure,
Rules Committee, Speaker and the
First two days of the Legislative Session

Friday, December 29, 1978

WRITTEN CONTRACTI. Duration

- A. The provisions of the organizational contract shall expire when either side obtains an organizational majority of 68 votes.
- B. The caucus obtaining such a majority could consider continuing portions of the contract arrangements on a voluntary basis.

II. The provisions of the organizational contract shall prevail over the provisions of House Rules where in conflict.

III. The organizational contract shall be signed by the 10 negotiators.

IV. The organizational contract shall be ratified by roll call of the House on the first day of the 71st Legislative session immediately prior to the election of Speaker. The contract shall be published in the Journal of the House.

V. Upon ratification of the contract, the Committee on Rules and Legislative Administration shall assume the functions of the negotiation team for the duration of the contract.

COMMITTEE STRUCTURE

- Membership on all standing committees, divisions and subcommittees shall be evenly divided between DFL and IR caucus members.
2. Where the chairmanship of a committee is assigned to one caucus, the vice-chairmanship and subcommittee chairmanships, shall be assigned to a committee member of the same caucus.
 3. The chairmen of all committees shall retain their present powers as defined by the rules.
 4. There shall be no more than two subcommittees per committee, designated by the chairman, with the advice and consent of the caucus holding the chairmanship. The allotted number of subcommittees for any committee may be increased upon approval of the Committee on Rules and Legislative Administration, when requested by the appropriate committee chairman.
 5. A majority of a committee's members may bring a matter before the full committee for consideration.
 6. Except for the modifications noted in Number 7 below, committee jurisdictions shall be the same as in the 70th Session.
 7. All existing committees and divisions shall be re-established for the 71st legislative session with the following modifications: Re-establish the Committee on Judiciary; create a new Committee on Energy and Utilities; combine Committees of Education and Higher Education and create a Division of Higher Education within the combined committee; and add the word "Housing" to Committee on Commerce and Economic Development.
 8. Committee chairmen, vice-chairmen, division chairmen and standing committee members shall be designated by the respective caucuses in any manner they so choose.

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

<u>Committee</u>	<u>Caucus Chairing</u>	<u>Size of Committee</u>
Agriculture	DFL	22
Appropriations	IR	34
Education	IR	10
Health, Welfare & Corrections	IR	10
Semi-State	IR	8
State Departments	IR	10
Commerce, Economic Development & Housing	IR DFL D.F.L.	28
Criminal Justice	DFL	22
Education	DFL	34
School Aids	DFL	12
Higher Education	DFL	12
Energy & Utilities	DFL - IR	26
Environment & Natural Resources	DFL	28
Financial Institutions & Insurance	DFL	26
General Legislation & Veterans Affairs	DFL	20
Governmental Operations	DFL	32
Health & Welfare	DFL	26
Judiciary	DFL - IR	20
Labor-Management Relations	DFL	20
Local & Urban Affairs	IR - D.F.L.	30
Taxes	IR	30
Transportation	DFL	28

*In never thought
 we could get the credit for the
 Tax Com. action. The Speaker Pro Tem
 takes the credit for Tax Relief, we
 end up with the Appropriations.
 Floor Leader
 Rules Cdr*

*Do you think
 a position such
 as this has
 merit.*

RULES COMMITTEE

- I. The Committee on Rules and Legislative Administration shall be chaired by a member of the DFL caucus. It shall be composed of an equal number of members from both DFL and I-R caucuses. There shall be a total of not less than 22 members on the committee.
- II. There shall be a regularly-scheduled weekly meeting of the Committee on Rules and Legislative Administration. In addition, either the Rules Committee Chairman or caucus leader opposite the chairman may call a committee meeting upon notice to each member of the committee, provided there is no conflict with a regularly-scheduled standing committee or subcommittee meeting. If not occurring during a day on which the House meets, ample opportunity must be given to all members to attend. Either the chairman or caucus leader opposite the chairman may place an item on the agenda for the next meeting.
- III. All duties of the Committee on Rules and Legislative Administration as presently provided in the rules remain the same with the following modifications:
 - A. Reference of bills to committee. The Speaker shall make the initial reference unless the chief author objects to the reference on the same day as the bill is referred. In this case, the bill will be referred to the Committee on Rules and Legislative Administration for referral to a committee. The Rules Committee report on the referral is not subject to objection on the floor. If the Rules Committee does not make such a reference within five (5) legislative days, the referral of the Speaker shall stand.
 - B. Before action by the full House, all constitutional amendments shall be referred or re-referred to the Committee on Rules and Legislative Administration.
 - C. No amendment to the report of the Committee on Rules and Legislative Administration on the Permanent Rules of the House shall be allowed on the floor of the House.
 - D. The Speaker's power to supervise the Chief Clerk under Rule 7.3 shall be subject to review by the Committee on Rules and Legislative Administration.

IV. Appointments

- A. To fill vacancies in those commissions and boards listed in Section IV (see below) of the House Research memorandum of December 5, 1978 (i.e., these specified by law to be filled by the Rules Committee), the Rules Committee shall appoint a proportionate number of DFLers and Republicans. The caucus that suffers the vacancy shall choose the successor who shall be appointed by the Rules Committee.
- B. The Rules Committee shall devise a method to determine the proportionality of appointments to those commissions and boards listed in Section I of the House Research memorandum dated December 6, 1978. Upon devising such a method, each caucus shall select members for those commissions and boards in any manner it chooses.

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

Legislative Advisory Commission

Fills vacancies in LAC during interim periods if the last speaker is not available. Minn. Stat. §3.30.

Legislative Commission on Pensions and Retirement

Fills vacancies in this commission during interim if the last speaker is not available. Minn. Stat. §3.85.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

Education Commission

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.82.

Midwestern Education Board

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.844.

SPEAKER

I. Selection

- A. An I-R caucus member shall serve as Speaker.
- B. The DFL signatories to the organizational contract shall support the election of the Speaker.

II. Powers and Responsibilities -- All present powers and responsibilities are retained with the following modifications:

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

Section

1

Powers and Responsibilities of the Speaker
as Established by Legislation,
Related to Commissions, Special Committees, and Boards

Legislative Commission to Review Administrative Rules

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn.Stat. §3.965.

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

Legislative Advisory Commission

Chairmen of the Appropriations and Taxes Committees serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn.Stat. §3.30.

Legislative Audit Commission

Speaker serves as a member of the Legislative Audit Commission. (Minority leader appoints three house members to the commission.) The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn.Stat. §§3.97 - 3.98.

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

Legislative Coordinating Commission

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has budgetary review authority over statutory commissions the majority of whose members are legislators. Minn.Stat. §§3.303 - 3.305.

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

Education Commission

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn.Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

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

Midwestern Education Board

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn.Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn.Stat. §121.843.

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

Great Lakes Basin Commission

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn.Stat. §1.22.

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

**Indian Affairs Intertribal Board

The Speaker appoints three house members to serve as nonvoting members on the Indian Affairs Intertribal Board. This board acts as a liaison between state government and the Indian tribes and is to assist the tribes in various matters in their relationships with private agencies and government. Minn.Stat. §3.922.

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

Commission on Interstate Cooperation

The Speaker serves as an ex officio, honorary member of the commission and appoints the five members of the commission from the house of representatives, so long as he retains the power to appoint members of standing committees of the house. (The law creates a five member standing committee of both

the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn.Stat. §3.29.

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

Iron Range Resources and Rehabilitation Board

The Speaker appoints the five house members on the Iron Range Resources and Rehabilitation Board. All expenditures and projects made by the commissioner of iron range resources and rehabilitation must be submitted to the board for a recommendation of approval, disapproval or modification. The board must approve or disapprove all disbursements. Minn.Stat. §298.22, subd. 2.

Joint Legislative Committee on Solid and Hazardous Waste

Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L.1978, C.728 §2.

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

**Legislative Commission on Minnesota Resources

Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn.Stat. §§86.06 - 86.12.

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

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn.Stat. §1.34.

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

Mississippi River Parkway Commission

Speaker appoints the three house members of the commission. The commission is charged with working toward planning and development of the great river road or the Mississippi River Parkway and to aid in securing the location of federal parks within Minnesota. Minn.Stat. §161.1419.

Term: Terms are coterminous with the regular legislative session.

Legislative Commission on Pensions and Retirement

Speaker appoints the five house members of the commission. The commission is charged with studying and investigating public retirement systems. Minn.Stat. §3.85.

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

**Steering Committee of the MTC Directing the Feasibility Study of the Downtown People Mover

Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

Personnel Board

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn.Stat. §43.03.

*Legislative Commission to Study Public Broadcasting in the State

Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public broadcasting in Minnesota. (Effectively expires 1-15-79) L. 1977, C. 445 §3; L. 1978, C. 793 §86.

Term: Vacancies are to be filled by appointing power.

*Privacy Study Commission

Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn.Stat. §15.169.

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

*Small Business Advisory Task Force

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. L. 1978, C. 709 §2.

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

Tax Study Commission

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn.Stat. §3.86.

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

Voyageurs National Park Citizens' Committee

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83) Minn.Stat. §84B.11.

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

Council on Economic Status of Women

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

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

*Workers Compensation Study Commission

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78) L. 1977, C. 342 §27.

Term: Members serve until expiration of the commission.

Laws 1977, Chap. 455 §19, Subd. 2.

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives *** who shall be involved in the ongoing process" of a study of economic development by the State Planning Agency.

*Laws 1977, Chap. 430 §28, Subd. 2.

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security. The report was to be submitted by 1-1-78.

*Laws 1977, Chap. 311 §12

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1978 legislative session.

National Council of State Legislatures

The Speaker shall select an equal number of members from lists supplied by the respective caucus leaders to participate in all functions of the National Conference of State Legislatures.

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

Section 2

Powers and Responsibilities of the Speaker
as Established by Statute,

Other Than those Related to Commissions, Special Committees and Boards

Standing Committees as Interim Study Committees

For House committees, vacancies shall be filled by the last elected speaker of the House. Minn. Stat. §3.921.

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

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

Gubernatorial Succession

Order of succession is the lieutenant governor and then the president of the senate. If there is no president of the senate, then the speaker of the house shall become governor for the remainder of the term.

In case of death or other failure to take office of the governor elect, the lieutenant governor, the president of the senate, or the last duly elected speaker of the house take office in that order. Minn. Stat. §4.06.

Legislative Manual

Speaker to approve students edition of Legislative Manual which is prepared by the Secretary of State. Minn. Stat. §5.09.

Lobbyist Report

Director of Ethical Practices Board to report names of registered lobbyists to speaker. Minn. Stat. §10A.05.

Conflicts of Interest

Members of house to deliver conflict of interest statements to speaker. Minn. Stat. §10A.07.

Statements of Economic Interest

Ethical Practices Board to notify speaker of names of individuals filing statements. Minn. Stat. §10A.09, Subd. 3.

Appointments to Agencies

Ethical Practice Board to submit copies of any statements which candidates must file with it to the speaker. Minn. Stat. §15.0597, Subd. 5.

Acting Department Heads

Notice of designation of a commissioner or an acting commissioner shall be filed with the speaker. Minn. Stat. §15.06, Subd. 5.

Transmittal of Judgments

If any candidate for the house be convicted of a violation of §210A.01-.44, a certificate of such conviction is to be transmitted to the speaker. Minn. Stat. §210A.40.

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

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

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

- 1c Power to require any motion to be in writing shall be subject to consultation between caucus leaders, if abused.
- 2b & 2c Appointments to standing committees. Appointments shall be made pursuant to the agreement on committee structure.
- 3a Directs the Chief Clerk in preparation of General Orders. Continues as at present but with the understanding that committee reports shall be given their second reading (before placement on General Orders) in numerical order of introduction with House Files placed ahead of Senate Files.
- 3b Power to issue permits for admission to floor continued with understanding that each caucus leader will have equal number of floor passes available to him until one hour before each daily session.
- 3d Schedule of committee meetings shall be worked out by agreement of the two caucus leaders.
- 3e The power to set times during the interim when per diems are not charged against committee budgets (Rule 6.12) may be exercised by either caucus leader.
- 3g Power to direct Chief Clerk. Speaker's supervision subject to review by the Committee on Rules and Legislative Administration. All supervision will be with the understanding that the Chief Clerk will fully cooperate with the caucus leader opposite the Speaker.
- 4b & 4c Reference of bills to Committee. See reference of bills under provisions relating to Committee on Rules and Legislative Administration.

Section
3

Powers and Responsibilities of the Speaker

As Established by House Rules and Joint Rules, 1977-78

House Rules

(1) Presiding Officer of the House

- a) Power to call the House to order. Rule 1.1
- b) Power to excuse members during a call of the House. Rule 2.2
- c) Power to require any motion to be in writing. Rule 3.1
- d) May allow 2 minute statement of reasons why House should not adjourn after nondebatable motion to adjourn has been made. Rule 3.3
- e) Power to recognize members on floor. Rule 4.2
- f) Power to call House or any member to order. Rule 4.3
- g) General powers of a presiding officer under rules of parliamentary procedure. Rule 7.1
- h) Power to order Sergeant at Arms to take action. Rule 7.9

(2) Appointive Powers

- a) May appoint another member to preside over the Committee of the Whole. Rule 1.5
- b) Appoints members of standing committees. Rule 6.1
- c) Designates the number of minority members on standing committees. (Minority selects specific members who serve on committees.) Rule 6.2
- d) Appoints chief Sergeant at Arms or designates him from among those elected by the House. Rule 7.1
- e) May appoint temporary Speaker pro tem. Rule 7.2

(3) Administrative Duties and Powers

- a) Directs the Chief Clerk in preparation of general orders. Rule 1.7
- b) Power to issue permits for admission onto the House floor for nonmembers. Rule 4.9

Section 3

- c) Gives permission to members to be absent from a session. Rule 4.1
- d) Prepares schedule of regular committee meetings. Rule 6.3
- e) Power to set times during the interim when per diems are not charged against committee budgets. Rule 6.12
- f) General control of chamber, corridors, passages, and rooms assigned to the use of the House. Rule 7.1
- g) Power to direct the Chief Clerk in the performance of his duties. Rule 7.3

(4) Control of Bill Flow

- a) Presents petitions, memorials, and other papers to full House. Rule 4.10
- b) Refers bills to standing committees after first reading. Rule 5.4
- c) Power to refer committee bills to committee. Rule 5.5

(5) Official Representative of the House

- a) Signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas. Rule 7.1

Joint Rules

- (1) Presiding officer at joint conventions. Rule 1.01
- (2) Certifies election results in conjunction with the President of the Senate. Rule 1.08

D. Appointment of Conference Committees.

The Speaker shall appoint conference committees except that the chief author or his designee and another member of the chief author's caucus must be members.

FLOOR LEADER

1. The position of floor leader alternates weekly between both caucuses until after the deadline for committee action when it alternates every legislative day.
2. All information pertaining to floor motions for that day shall be provided by the Speaker to both caucus leaders prior to the beginning of that day's session.

FIRST TWO DAYS OF LEGISLATIVE SESSION

I. AGENDA FOR THE OPENING DAY OF SESSION

1. 12:00 noon - Secretary of State calls House to order
2. Secretary of State appoints Clerk protem
3. Prayer by the Chaplain
4. Clerk protem calls roll in order of district number - certificates of election presented (all are now on file in Chief Clerk's office)
5. Chief Justice of the Supreme Court escorted in
6. Chief Justice administers oath to members
7. Members take seats
8. Clerk protem calls roll in alphabetical order
9. A quorum, if present, is declared
10. If there is a negotiated agreement, a motion to ratify the agreement would be in order
11. Secretary of State announces next order of business is election of Speaker
12. Speaker candidates nominated and seconded
13. Secretary of State declares nominations closed
14. Clerk protem calls roll to elect Speaker
15. If one is elected (by a majority of those members present and voting) he is escorted to the rostrum by appointees
16. Secretary of State administers oath to Speaker who responds
17. Speaker conducts election of Chief Clerk
18. Clerk protem calls roll to elect Chief Clerk
19. Speaker administers oath to Chief Clerk
20. Recess at the call of the chair to decide who the candidates for the seven other House offices shall be
21. Speaker conducts election of seven other officers (could be optional on

22. Chief Clerk calls roll to elect seven other officers (all elected together if only one nomination for each)
23. Speaker administers oath to seven other house officers
24. Temporary rules adopted by oral roll call vote (In resolution, use language such as "As modified by negotiated agreement" if there is one) (Names of committees are inserted here which will be as negotiated)
25. Speaker appoints Chief Sergeant at Arms (May or may not be any of the individuals elected by the House)
26. Oath administered to Chief Sergeant at Arms by Speaker
27. Inform the Senate that the House is organized and wants to meet in joint convention on January 4, 1979, at 11:45 A.M. to receive the Governor at 12:00 noon
28. Invitation to the Governor: Speaker appoints 7 members to:
 1. Extend invitation to the Governor
 2. Notify the Governor that the House is organized
29. Escort Governor: Speaker appoints 7 members to escort the Governor to joint convention on January 4, 1979
30. Resolution to Expedite Business: This resolution authorizes employees to be hired and paid and therefore requires an oral roll call vote
31. Speaker announces Rules Committee members - THIS MUST BE DONE ON THE FIRST DAY
32. Speaker announces other committee assignments (Optional on First Day)
33. Speaker announces committee meeting schedule (Optional on First Day)
34. House recesses during which permanent desks are selected according to seniority
35. House reconvened by Speaker
36. Concurrent resolution to adjourn offered (temporary rules must be suspended by a two-thirds vote)

37. Messages from the Senate: Senate notified House of their organization, their committee to notify the Governor of organization, and their committee to escort the Governor to joint convention.
38. Temporary joint rules are adopted
39. A concurrent resolution on parking and payment offered and passed.
(Optional on First Day)
40. Other business, if any
41. House adjourns to 11:30 A.M., Thursday, January 4, 1979

II. MINNESOTA HOUSE OF REPRESENTATIVES

INFORMATION NEEDED FOR FIRST DAY OF SESSION

1. Name of Clerk pro Tempore: _____

2. Name of Chaplain: _____

3. Who will nominate Mr. Searle? _____

4. Who will second nomination of Mr. Searle? (One from each
congressional district?)

_____	_____
_____	_____
_____	_____
_____	_____

OR

5. Who will nominate Mr. Anderson? _____

6. Who will second nomination of Mr. Anderson?
(One from each congressional district?)

_____	_____
_____	_____
_____	_____
_____	_____

7. Committee to escort Speaker-elect to rostrum (8 members):

_____	_____
_____	_____
_____	_____
_____	_____

8. Who will be nominated for Chief Clerk?

9. Who will nominate candidate for Chief Clerk?

10. Who will second nomination of Chief Clerk?

_____	_____
-------	-------

11. Who will offer motion on election of other officers on one roll call? _____

12. Other elective officers to be nominated:

<u>OFFICE</u>	<u>CANDIDATE</u>	<u>NOMINATED BY</u>
1st Asst. Chief Clerk	_____	_____
2nd Asst. Chief Clerk	_____	_____
Postmaster	_____	_____
Asst. Postmaster	_____	_____
Asst. Sgt.-at-Arms	_____	_____
Asst. Sgt.-at-Arms	_____	_____
Asst. Sgt.-at-Arms	_____	_____
Index Clerk	_____	_____
Chaplain	_____	_____
Chaplain	_____	_____
Chaplain	_____	_____

13. Who will offer resolution on temporary rules? _____

14. Will oath of office be given to Chief Sergeant-at-Arms the first day? _____

15. Who will offer resolution informing Senate that House is organized and inviting Senate to joint convention? _____

16. Who will offer resolution inviting Governor and notifying him that the House is organized? _____

17. Committee of 6 to notify Governor:

_____	_____
_____	_____
_____	_____

18. Who will offer resolution providing for committee of 6 to escort Governor to joint convention? _____

19. Committee to escort Governor to joint convention (6 members):

_____	_____
_____	_____
_____	_____

20. Who will offer resolution on appointment of employees?

21. Speaker announces members of Committee on Rules and Legislative Administration:

22. Who will offer resolution on selection of permanent desks?

III. AGENDA FOR THE SECOND DAY OF SESSION

1. Speaker calls House to order
2. Prayer by the Chaplain
3. Roll called - Quorum declared, if present
4. Journal of preceding day read
5. Recess until Senators arrive
6. Senators escorted to their seats (temporary seats provided)
7. Speaker as President of Joint Convention calls the Joint Convention to order
8. Prayer by the Chaplain
9. Roll dispensed with by resolution
10. Constitutional officers escorted to seats at rostrum
11. Supreme Court Justices seated
12. Governor escorted to rostrum by appointed House and Senate committees
13. Governor gives address
14. Joint Convention adjourned
15. House called to order by Speaker
16. Messages from the Senate: Resolution on Adjournment adopted
17. Other business, if any
18. Adjourn

I-R Proposal for House Organization:
Contract, Committee Structure,
Rules Committee and Speaker

Wednesday, January 3, 1979

WRITTEN CONTRACTI. Duration

A. The provisions of the organizational contract shall expire when either side obtains an organizational majority of 68 votes through the issuance of a new election certificate.

B. The caucus obtaining such a majority could consider continuing portions of the contract arrangements on a voluntary basis.

II. The provisions of the organizational contract shall prevail over the provisions of House Rules where in conflict.

III. The organizational contract shall be signed by the 10 negotiators.

IV. The organizational contract shall be ratified by roll call of the House immediately following the election of Speaker. The contract shall be published in the Journal of the House.

V. Upon ratification of the contract, the Committee on Rules and Legislative Administration shall assume the functions of the negotiation team for the duration of the contract.

COMMITTEE STRUCTURE

1. Membership on all standing committees, divisions and subcommittees shall be evenly divided between DFL and IR caucus members.
2. Where the chairmanship of a committee is assigned to one caucus, the vice-chairmanship and subcommittee chairmanships, shall be assigned to a committee member of the same caucus.
3. The chairmen of all committees shall retain their present powers as defined by the rules.
4. There shall be no more than two subcommittees per committee, designated by the chairman, with the advice and consent of the caucus holding the chairmanship. The allotted number of subcommittees for any committee may be increased upon approval of the Committee on Rules and Legislative Administration, when requested by the appropriate committee chairman.
5. A majority of a committee's members may bring a matter before the full committee for consideration.
6. Except for the modifications noted in Number 7 below, committee jurisdictions shall be the same as in the 70th Session.
7. All existing committees and divisions shall be re-established for the 71st legislative session with the following modifications: Re-establish the Committee on Judiciary; create a new Committee on Energy and Utilities; combine Committees of Education and Higher Education and create a Division of Higher Education within the combined committee; and add the word "Housing" to Committee on Commerce and Economic Development.
8. Committee chairmen, vice-chairmen, division chairmen and standing committee members shall be designated by the respective caucuses in any manner they so choose.

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

<u>Committee</u>	<u>Caucus Chairing</u>	<u>Size of Committee</u>
Agriculture	IR	22
Appropriations	IR	34
Education	IR	10
Health, Welfare & Corrections	IR	10
Semi-State	IR	8
State Departments	IR	10
Commerce, Economic Development & Housing	IR	28
Criminal Justice	DFL	22
Education	DFL	34
School Aids	DFL	12
Higher Education	DFL	12
Energy & Utilities	IR	26
Environment & Natural Resources	IR	28
Financial Institutions & Insurance	DFL	26
General Legislation & Veterans Affairs	DFL	20
Governmental Operations	DFL	32
Health & Welfare	DFL	26
Judiciary	DFL	20
Labor-Management Relations	DFL	20
Local & Urban Affairs	IR	30
Taxes	IR	30
Transportation	DFL	28

RULES COMMITTEE

- I. The Committee on Rules and Legislative Administration shall be chaired by a member of the DFL caucus. It shall be composed of an equal number of members from both DFL and I-R caucuses. There shall be a total of not less than 22 members on the committee.
- II. There shall be a regularly-scheduled weekly meeting of the Committee on Rules and Legislative Administration. In addition, either the Rules Committee Chairman or caucus leader opposite the chairman may call a committee meeting upon notice to each member of the committee, provided there is no conflict with a regularly-scheduled standing committee or subcommittee meeting. If not occurring during a day on which the House meets, ample opportunity must be given to all members to amend. Either the chairman or caucus leader opposite the chairman may place an item on the agenda for the next meeting.
- III. All duties of the Committee on Rules and Legislative Administration as presently provided in the rules remain the same with the following modifications:
 - A. Reference of bills to committee. The Speaker shall make the initial reference unless the chief author objects to the reference on the same day as the bill is referred. In this case, the bill will be referred to the Committee on Rules and Legislative Administration for referral to a committee. The Rules Committee report on the referral is not subject to objection on the floor. If the Rules Committee does not make such a reference within five (5) legislative days, the referral of the Speaker shall stand.
 - B. Before action by the full House, all constitutional amendments shall be referred or re-referred to the Committee on Rules and Legislative Administration.
 - C. No amendment to the report of the Committee on Rules and Legislative Administration on the Permanent Rules of the House shall be allowed on the floor of the House.
 - D. The Speaker's power to supervise the Chief Clerk under Rule 7.3 shall be subject to review by the Committee on Rules and Legislative Administration.

IV. Appointments

- A. To fill vacancies in those commissions and boards listed in Section IV (see below) of the House Research memorandum of December 5, 1978 (i.e., these specified by law to be filled by the Rules Committee), the Rules Committee shall appoint a proportionate number of DFLers and Republicans. The caucus that suffers the vacancy shall choose the successor who shall be appointed by the Rules Committee.
- B. The Rules Committee shall devise a method to determine the proportionality of appointments to those commissions and boards listed in Section I of the House Research memorandum dated December 6, 1978. Upon devising such a method, each caucus shall select members for those commissions and boards in any manner it chooses.

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

Legislative Advisory Commission

Fills vacancies in LAC during interim periods if the last speaker is not available. Minn. Stat. §3.30.

Legislative Commission on Pensions and Retirement

Fills vacancies in this commission during interim if the last speaker is not available. Minn. Stat. §3.85.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

Education Commission

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.82.

Midwestern Education Board

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.844.

SPEAKER

I. Selection

- A. An I-R caucus member shall serve as Speaker.
- B. The DFL signatories to the organizational contract shall support the election of the Speaker.

II. Powers and Responsibilities -- All present powers and responsibilities are retained with the following modifications:

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

Powers and Responsibilities of the Speaker
as Established by Legislation,
Related to Commissions, Special Committees, and Boards

Legislative Commission to Review Administrative Rules

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn.Stat. §3.965.

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

Legislative Advisory Commission

Chairmen of the Appropriations and Taxes Committees serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn.Stat. §3.30.

Legislative Audit Commission

Speaker serves as a member of the Legislative Audit Commission. (Minority leader appoints three house members to the commission.) The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn.Stat. §§3.97 - 3.98.

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

Legislative Coordinating Commission

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has budgetary review authority over statutory commissions the majority of whose members are legislators. Minn.Stat. §§3.303 - 3.305.

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

Education Commission

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn.Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

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

Midwestern Education Board

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn.Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn.Stat. §121.843.

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

Great Lakes Basin Commission

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn.Stat. §1.22.

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

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

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The Speaker serves as an ex officio, honorary member of the commission and appoints the five members of the commission from the house of representatives, so long as he retains the power to appoint members of standing committees of the house. (The law creates a five member standing committee of both

the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn.Stat. §3.29.

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

Iron Range Resources and Rehabilitation Board

The Speaker appoints the five house members on the Iron Range Resources and Rehabilitation Board. All expenditures and projects made by the commissioner of iron range resources and rehabilitation must be submitted to the board for a recommendation of approval, disapproval or modification. The board must approve or disapprove all disbursements. Minn.Stat. §298.22, subd. 2.

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Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L.1978, C.728 §2.

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Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn.Stat. §§86.06 - 86.12.

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

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn.Stat. §1.34.

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

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

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Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

Personnel Board

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn.Stat. §43.03.

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Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public broadcasting in Minnesota. (Effectively expires 1-15-79) L. 1977, C. 445 §3; L. 1978, C. 793 §86.

Term: Vacancies are to be filled by appointing power.

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Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn.Stat. §15.169.

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

*Small Business Advisory Task Force

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. L. 1978, C. 709 §2.

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

Tax Study Commission

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn.Stat. §3.86.

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

Voyageurs National Park Citizens' Committee

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83) Minn.Stat. §84B.11.

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

Council on Economic Status of Women

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

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

*Workers Compensation Study Commission

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78) L. 1977, C. 342 §27.

Term: Members serve until expiration of the commission.

Laws 1977, Chap. 455 §19, Subd. 2.

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives *** who shall be involved in the ongoing process" of a study of economic development by the State Planning Agency.

*Laws 1977, Chap. 430 §28, Subd. 2.

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security. The report was to be submitted by 1-1-78.

*Laws 1977, Chap. 311 §12

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1978 legislative session.

National Council of State Legislatures

The Speaker shall select an equal number of members from lists supplied by the respective caucus leaders to participate in all functions of the National Conference of State Legislatures.

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

Section 2

Powers and Responsibilities of the Speaker

as Established by Statute,

Other Than those Related to Commissions, Special Committees and Boards

Standing Committees as Interim Study Committees

For House committees, vacancies shall be filled by the last elected speaker of the House. Minn. Stat. §3.921.

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

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

Gubernatorial Succession

Order of succession is the lieutenant governor and then the president of the senate. If there is no president of the senate, then the speaker of the house shall become governor for the remainder of the term.

In case of death or other failure to take office of the governor elect, the lieutenant governor, the president of the senate, or the last duly elected speaker of the house take office in that order. Minn. Stat. §4.06.

Legislative Manual

Speaker to approve students edition of Legislative Manual which is prepared by the Secretary of State. Minn. Stat. §5.09.

Lobbyist Report

Director of Ethical Practices Board to report names of registered lobbyists to speaker. Minn. Stat. §10A.05.

Conflicts of Interest

Members of house to deliver conflict of interest statements to speaker. Minn. Stat. §10A.07.

Statements of Economic Interest

Ethical Practices Board to notify speaker of names of individuals filing statements. Minn. Stat. §10A.09, Subd. 3.

Appointments to Agencies

Ethical Practice Board to submit copies of any statements which candidates must file with it to the speaker. Minn. Stat. §15.0597, Subd. 5.

Acting Department Heads

Notice of designation of a commissioner or an acting commissioner shall be filed with the speaker. Minn. Stat. §15.06, Subd. 5.

Transmittal of Judgments

If any candidate for the house be convicted of a violation of §210A.01-.44, a certificate of such conviction is to be transmitted to the speaker. Minn. Stat. §210A.40.

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

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

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

- 1c Power to require any motion to be in writing shall be subject to consultation between caucus leaders, if abused.
- 2b & 2c Appointments to standing committees. Appointments shall be made pursuant to the agreement on committee structure.
- 3a Directs the Chief Clerk in preparation of General Orders. Continues as at present but with the understanding that committee reports shall be given their second reading (before placement on General Orders) in numerical order of introduction with House Files placed ahead of Senate Files.
- 3b Power to issue permits for admission to floor continued with understanding that each caucus leader will have equal number of floor passes available to him until one hour before each daily session.
- 3g Power to direct Chief Clerk. Speaker's supervision subject to review by the Committee on Rules and Legislative Administration. All supervision will be with the understanding that the Chief Clerk will fully cooperate with the caucus leader opposite the Speaker.
- 4b & 4c Reference of bills to Committee. See reference of bills under provisions relating to Committee on Rules and Legislative Administration.

Section
3

Powers and Responsibilities of the Speaker

As Established by House Rules and Joint Rules, 1977-78

House Rules

(1) Presiding Officer of the House

- a) Power to call the House to order. Rule 1.1
- b) Power to excuse members during a call of the House. Rule 2.2
- c) Power to require any motion to be in writing. Rule 3.1
- d) May allow 2 minute statement of reasons why House should not adjourn after nondebatable motion to adjourn has been made. Rule 3.3
- e) Power to recognize members on floor. Rule 4.2
- f) Power to call House or any member to order. Rule 4.3
- g) General powers of a presiding officer under rules of parliamentary procedure. Rule 7.1
- h) Power to order Sergeant at Arms to take action. Rule 7.9

(2) Appointive Powers

- a) May appoint another member to preside over the Committee of the Whole. Rule 1.5
- b) Appoints members of standing committees. Rule 6.1
- c) Designates the number of minority members on standing committees. (Minority selects specific members who serve on committees.) Rule 6.2
- d) Appoints chief Sergeant at Arms or designates him from among those elected by the House. Rule 7.1
- e) May appoint temporary Speaker pro tem. Rule 7.2

(3) Administrative Duties and Powers

- a) Directs the Chief Clerk in preparation of general orders. Rule 1.7
- b) Power to issue permits for admission onto the House floor for nonmembers. Rule 4.9

Section 3

- c) Gives permission to members to be absent from a session. Rule 4.1
- d) Prepares schedule of regular committee meetings. Rule 6.3
- e) Power to set times during the interim when per diems are not charged against committee budgets. Rule 6.12
- f) General control of chamber, corridors, passages, and rooms assigned to the use of the House. Rule 7.1
- g) Power to direct the Chief Clerk in the performance of his duties. Rule 7.3

(4) Control of Bill Flow

- a) Presents petitions, memorials, and other papers to full House. Rule 4.10
- b) Refers bills to standing committees after first reading. Rule 5.4
- c) Power to refer committee bills to committee. Rule 5.5

(5) Official Representative of the House

- a) Signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas. Rule 7.1

Joint Rules

- (1) Presiding officer at joint conventions. Rule 1.01
- (2) Certifies election results in conjunction with the President of the Senate. Rule 1.08

D. Appointment of Conference Committees.

The Speaker shall appoint conference committees except that the chief author or his designee and another member of the chief author's caucus must be members.

FLOOR LEADER

1. The position of floor leader alternates weekly between both caucuses until after the deadline for committee action when it alternates every legislative day.
2. All information pertaining to floor motions for that day shall be provided by the Speaker to both caucus leaders prior to the beginning of that day's session.

DFL - IR PROPOSAL FOR HOUSE ORGANIZATION

Contract, Committee Structure,
Rules Committee and Speaker

January 3, 1979, As Amended January 7, 1979

WRITTEN CONTRACT

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

COMMITTEE STRUCTURE

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

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

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

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

RULES COMMITTEE

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

V. Appointments

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

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

Legislative Advisory Commission

Fills vacancies in LAC during interim periods of the last speaker is not available. Minn. Stat. §3.30.

Legislative Commission on Pensions and Retirement

Fills vacancies in this commission during interim if the last speaker is not available. Minn. Stat. §3.85.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

Education Commission

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.82.

Midwestern Education Board

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.844.

SPEAKER

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

Powers and Responsibilities of the Speaker
as Established by Legislation,
Related to Commissions, Special Committees, and Boards

Legislative Commission to Review Administrative Rules

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn.Stat. §3.965.

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

Legislative Advisory Commission

Chairmen of the Appropriations and Taxes Committees serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn.Stat. §3.30.

Legislative Audit Commission

Speaker serves as a member of the Legislative Audit Commission. (Minority leader appoints three house members to the commission.) The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn.Stat. §§3.97 - 3.98.

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

Legislative Coordinating Commission

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has budgetary review authority over statutory commissions the majority of whose members are legislators. Minn.Stat. §§3.303 - 3.305.

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

Education Commission

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn.Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

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

Midwestern Education Board

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn.Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn.Stat. §121.843.

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

Great Lakes Basin Commission

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn.Stat. §1.22.

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

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

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the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn.Stat. §3.29.

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

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Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L.1978, C.728 §2.

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

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Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn.Stat. §§86.06 - 86.12.

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

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn.Stat. §1.34.

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

Mississippi River Parkway Commission

Speaker appoints the three house members of the commission. The commission is charged with working toward planning and development of the great river road or the Mississippi River Parkway and to aid in securing the location of federal parks within Minnesota. Minn.Stat. §161.1419.

Term: Terms are coterminous with the regular legislative session.

Legislative Commission on Pensions and Retirement

Speaker appoints the five house members of the commission. The commission is charged with studying and investigating public retirement systems. Minn.Stat. §3.85.

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

**Steering Committee of the MTC Directing the Feasibility Study of the Downtown People Mover

Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

Personnel Board

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn.Stat. §43.03.

*Legislative Commission to Study Public Broadcasting in the State

Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public broadcasting in Minnesota. (Effectively expires 1-15-79) L. 1977, C. 445 §3; L. 1978, C. 793 §86.

Term: Vacancies are to be filled by appointing power.

*Privacy Study Commission

Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn.Stat. §15.169.

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

Small Business Advisory Task Force

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. L. 1978, C. 709 §2.

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

Tax Study Commission

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn.Stat. §3.86.

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

Voyageurs National Park Citizens' Committee

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83) Minn.Stat. §84B.11.

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

Council on Economic Status of Women

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

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

*Workers Compensation Study Commission

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78) L. 1977, C. 342 §27.

Term: Members serve until expiration of the commission.

Laws 1977, Chap. 455 §19, Subd. 2.

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives *** who shall be involved in the ongoing process" of a study of economic development by the State Planning Agency.

*Laws 1977, Chap. 430 §28, Subd. 2.

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security. The report was to be submitted by 1-1-78.

*Laws 1977, Chap. 311 §12

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1978 legislative session.

National Council of State Legislatures

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

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

Section 2

Powers and Responsibilities of the Speaker

as Established by Statute,

Other Than those Related to Commissions, Special Committees and Boards

Standing Committees as Interim Study Committees

For House committees, vacancies shall be filled by the last elected speaker of the House. Minn. Stat. §3.921.

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

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

Gubernatorial Succession

Order of succession is the lieutenant governor and then the president of the senate. If there is no president of the senate, then the speaker of the house shall become governor for the remainder of the term.

In case of death or other failure to take office of the governor elect, the lieutenant governor, the president of the senate, or the last duly elected speaker of the house take office in that order. Minn. Stat. §4.06.

Legislative Manual

Speaker to approve students edition of Legislative Manual which is prepared by the Secretary of State. Minn. Stat. §5.09.

Lobbyist Report

Director of Ethical Practices Board to report names of registered lobbyists to speaker. Minn. Stat. §10A.05.

Conflicts of Interest

Members of house to deliver conflict of interest statements to speaker. Minn. Stat. §10A.07.

Statements of Economic Interest

Ethical Practices Board to notify speaker of names of individuals filing statements. Minn. Stat. §10A.09, Subd. 3.

Appointments to Agencies

Ethical Practice Board to submit copies of any statements which candidates must file with it to the speaker. Minn. Stat. §15.0597, Subd. 5.

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Notice of designation of a commissioner or an acting commissioner shall be filed with the speaker. Minn. Stat. §15.06, Subd. 5.

Transmittal of Judgments

If any candidate for the house be convicted of a violation of §210A.01-.44, a certificate of such conviction is to be transmitted to the speaker. Minn. Stat. §210A.40.

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

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

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

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

Section
3

Powers and Responsibilities of the Speaker

As Established by House Rules and Joint Rules, 1977-78

House Rules

(1) Presiding Officer of the House

- a) Power to call the House to order. Rule 1.1
- b) Power to excuse members during a call of the House. Rule 2.2
- c) Power to require any motion to be in writing. Rule 3.1
- d) May allow 2 minute statement of reasons why House should not adjourn after nondebatable motion to adjourn has been made. Rule 3.3
- e) Power to recognize members on floor. Rule 4.2
- f) Power to call House or any member to order. Rule 4.3
- g) General powers of a presiding officer under rules of parliamentary procedure. Rule 7.1
- h) Power to order Sergeant at Arms to take action. Rule 7.9

(2) Appointive Powers

- a) May appoint another member to preside over Committee of the Whole. Rule 1.5
- b) Appoints members of standing committees. Rule 6.1
- c) Designates the number of minority members on standing committees. (Minority selects specific members who serve on committees.) Rule 6.2
- d) Appoints chief Sergeant at Arms or designates him from among those elected by the House. Rule 7.1
- e) May appoint temporary Speaker pro tem. Rule 7.2

(3) Administrative Duties and Powers

- a) Directs the Chief Clerk in preparation of general orders. Rule 1.7
- b) Power to issue permits for admission onto the House floor for nonmembers. Rule 4.9

Section 3

- c) Gives permission to members to be absent from a session. Rule 4.1
- d) Prepares schedule of regular committee meetings. Rule 6.3
- e) Power to set times during the interim when per diems are not charged against committee budgets. Rule 6.12
- f) General control of chamber, corridors, passages, and rooms assigned to the use of the House. Rule 7.1
- g) Power to direct the Chief Clerk in the performance of his duties. Rule 7.3

(4) Control of Bill Flow

- a) Presents petitions, memorials, and other papers to full House. Rule 4.10
- b) Refers bills to standing committees after first reading. Rule 5.4
- c) Power to refer committee bills to committee. Rule 5.5

(5) Official Representative of the House

- a) Signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas. Rule 7.1

Joint Rules

- (1) Presiding officer at joint conventions. Rule 1.01
- (2) Certifies election results in conjunction with the President of the Senate. Rule 1.08

D. Appointment of Conference Committees.

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

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

FLOOR MANAGEMENT

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

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

DFL

by:

Irvin N. Anderson
DFL Caucus Leader

Harry Sieben

Carl Johnson

James Casserly

Al W. Patton

I-R

by:

Rodney Searle
I-R Caucus Leader

Douglas Carlson

Bob Anderson

Jerry Knickerbocker

Bruce Nelsen

[REDACTED]
[annotated]

DFL - IR PROPOSAL FOR HOUSE ORGANIZATION

Contract, Committee Structure,
Rules Committee and Speaker

January 3, 1979, As Amended January 7, 1979

WRITTEN CONTRACT

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

COMMITTEE STRUCTURE

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

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

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

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

RULES COMMITTEE

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

V. Appointments

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

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

Legislative Advisory Commission

Fills vacancies in LAC during interim periods of the last speaker is not available. Minn. Stat. §3.30.

Legislative Commission on Pensions and Retirement

Fills vacancies in this commission during interim if the last speaker is not available. Minn. Stat. §3.85.

Legislative Audit Commission

Is a member of this commission. Minn. Stat. §3.97.

Education Commission

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.82.

Midwestern Education Board

Fills vacancies in this commission during interim periods if the last speaker is not available. Minn. Stat. §121.844.

SPEAKER

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

Powers and Responsibilities of the Speaker
as Established by Legislation,
Related to Commissions, Special Committees, and Boards

Legislative Commission to Review Administrative Rules

Speaker appoints five house members who serve on commission. Commission has power to review and temporarily suspend administrative rules. Minn.Stat. §3.965.

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

Legislative Advisory Commission

Chairmen of the Appropriations and Taxes Committees serve, but if a vacancy occurs when the Legislature is not in session the Speaker shall fill the vacancy. LAC is to be consulted by the Governor before transfers in excess of \$10,000 are made from the contingent appropriation. Minn.Stat. §3.30.

Legislative Audit Commission

Speaker serves as a member of the Legislative Audit Commission. (Minority leader appoints three house members to the commission.) The Audit Commission, through the legislative auditor and its staff, conducts financial audits of state departments, boards, commissions, and agencies and evaluates programs funded by the state. The commission is authorized to prescribe additional duties or powers to be exercised or performed by the legislative auditor. Minn.Stat. §§3.97 - 3.98.

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

Legislative Coordinating Commission

Speaker serves as a member of the LCC and appoints two additional house members. The Speaker serves as chairman of the commission in alternate years. LCC may establish and control office of legislative research which may include the office of revisor of statute and legislative reference library. LCC also has budgetary review authority over statutory commissions the majority of whose members are legislators. Minn.Stat. §§3.303 - 3.305.

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

Education Commission

Speaker appoints the house member serving on the Education Commission, created by the Interstate Compact for Education. Minn.Stat. §121.82. The purpose of this commission is to facilitate interstate cooperation, discussion, and improvement of education. Minn.Stat. §121.81.

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

Midwestern Education Board

Speaker appoints the house member serving on the Midwestern Education Board, created by the Midwestern Education Compact. Minn.Stat. §121.844. The purposes of this interstate compact are similar to those of the interstate compact for education, except that it is limited to several midwestern states. Minn.Stat. §121.843.

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

Great Lakes Basin Commission

Speaker appoints the two house members of the Great Lakes Basin Commission, created by the Great Lakes Basin Compact. This compact has the purpose of promoting and planning orderly development, use, and conservation of the water resources of the Great Lakes Basin through the implementation of an interstate compact of the states bordering on the great lakes. Minn.Stat. §1.22.

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

**Indian Affairs Intertribal Board

The Speaker appoints three house members to serve as nonvoting members on the Indian Affairs Intertribal Board. This board acts as a liaison between state government and the Indian tribes and is to assist the tribes in various matters in their relationships with private agencies and government. Minn.Stat. §3.922.

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

Commission on Interstate Cooperation

The Speaker serves as an ex officio, honorary member of the commission and appoints the five members of the commission from the house of representatives, so long as he retains the power to appoint members of standing committees of the house. (The law creates a five member standing committee of both

the senate and house. Together the members of these standing committees, along with governor's committee, constitute the commission.) The purpose of the commission is to further the participation of the state in the council of state governments and to advance cooperation in developing proposals for interstate compacts, uniform statutes, reciprocal statutes, and informal cooperation among the states. Minn.Stat. §3.29.

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

Iron Range Resources and Rehabilitation Board

The Speaker appoints the five house members on the Iron Range Resources and Rehabilitation Board. All expenditures and projects made by the commissioner of iron range resources and rehabilitation must be submitted to the board for a recommendation of approval, disapproval or modification. The board must approve or disapprove all disbursements. Minn.Stat. §298.22, subd. 2.

Joint Legislative Committee on Solid and Hazardous Waste

Speaker appoints seven members of the house to serve on the committee. This committee is to assist and advise the State Planning Agency in designing research and work programs regarding solid and hazardous waste and is to review the research in progress. (Expires 7-1-79) L.1978, C.728 §2.

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

**Legislative Commission on Minnesota Resources

Speaker appoints seven house members to the commission. The commission is charged with making various studies relative to the use of the natural resources of the state. Minn.Stat. §§86.06 - 86.12.

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

Legislative Advisory Committee to the Minnesota-Wisconsin Boundary Area Commission

Speaker appoints the five house members of the committee. The committee is charged with assisting the commission in the performance of its duties. Minn.Stat. §1.34.

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

Mississippi River Parkway Commission

Speaker appoints the three house members of the commission. The commission is charged with working toward planning and development of the great river road or the Mississippi River Parkway and to aid in securing the location of federal parks within Minnesota. Minn.Stat. §161.1419.

Term: Terms are coterminous with the regular legislative session.

Legislative Commission on Pensions and Retirement

Speaker appoints the five house members of the commission. The commission is charged with studying and investigating public retirement systems. Minn.Stat. §3.85.

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

**Steering Committee of the MTC Directing the Feasibility Study of the Downtown People Mover

Speaker appoints one house member to serve as a nonvoting member of the steering committee which is studying the feasibility of the downtown people mover project in St. Paul. L. 1977, C. 454, §45.

Personnel Board

Speaker submits a list of eligible appointees to the governor who appoints one member of the board from the Speaker's list. Minn.Stat. §43.03.

*Legislative Commission to Study Public Broadcasting in the State

Speaker appoints five house members to serve on the commission which is charged with studying various aspects of public broadcasting in Minnesota. (Effectively expires 1-15-79) L. 1977, C. 445 §3; L. 1978, C. 793 §86.

Term: Vacancies are to be filled by appointing power.

*Privacy Study Commission

Speaker appoints three of the six members of the commission. The commission is charged with studying the collection, storage, and use of data on individuals by public or private entities in Minnesota. Minn.Stat. §15.169.

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

*Small Business Advisory Task Force

Speaker appoints three house members to serve on a task force to advise the commissioner of economic development and the legislature on allocating resources to the small business unit of DED and to develop a plan for a statewide or regional education system(s) for small business and for a system of providing technical service assistance to small businesses. L. 1978, C. 709 §2.

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

Tax Study Commission

Speaker appoints six of the seven members of the commission. Commission is to study and make recommendations regarding long range tax policy and to review and analyze tax legislation. Minn.Stat. §3.86.

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

Voyageurs National Park Citizens' Committee

Speaker appoints two members of the committee. The committee is to conduct meetings and research relating to the establishment of Voyageurs National Park and to make recommendations to the National Park Service. (Expires 6-30-83) Minn.Stat. §84B.11.

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

Council on Economic Status of Women

Speaker appoints five members of the house to serve on the commission, over half of which must be women. The council is to report to the governor and the legislature regarding any necessary changes in laws or programs to achieve full participation by women in the economy. (Expires 6-30-81) L. 1976, C. 337; L. 1978, C. 793 §§82-83.

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

*Workers Compensation Study Commission

Speaker appoints three house members to serve on the commission. The commission is charged with studying various specific aspects of the Minnesota workers compensation system. (Expires 12-31-78) L. 1977, C. 342 §27.

Term: Members serve until expiration of the commission.

Laws 1977, Chap. 455 §19, Subd. 2.

Speaker has authority to designate "appropriate legislative committees and staff in the House of Representatives *** who shall be involved in the ongoing process" of a study of economic development by the State Planning Agency.

*Laws 1977, Chap. 430 §28, Subd. 2.

Speaker appoints three members of the Governmental Operations Committee to review a report submitted by the commissioner of economic security regarding the reorganization or creation of the department of economic security. The report was to be submitted by 1-1-78.

*Laws 1977, Chap. 311 §12

Speaker appoints two house members to the commission to study and consider alternatives for continuing financing of the statewide 911 telephone emergency system. Commission may act until the commencement of the 1978 legislative session.

National Council of State Legislatures

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

Statutory power other than those related to commissions, special committees, and boards (Refer to Section 2 of House Research Report dated December 5, 1978).

1. Standing committees as interim committees. In making such appointments, the Speaker shall follow the recommendations of the leader of the caucus in which the vacancy occurs.

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as Established by Statute,

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For House committees, vacancies shall be filled by the last elected speaker of the House. Minn. Stat. §3.921.

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

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

Gubernatorial Succession

Order of succession is the lieutenant governor and then the president of the senate. If there is no president of the senate, then the speaker of the house shall become governor for the remainder of the term.

In case of death or other failure to take office of the governor elect, the lieutenant governor, the president of the senate, or the last duly elected speaker of the house take office in that order. Minn. Stat. §4.06.

Legislative Manual

Speaker to approve students edition of Legislative Manual which is prepared by the Secretary of State. Minn. Stat. §5.09.

Lobbyist Report

Director of Ethical Practices Board to report names of registered lobbyists to speaker. Minn. Stat. §10A.05.

Conflicts of Interest

Members of house to deliver conflict of interest statements to speaker. Minn. Stat. §10A.07.

Statements of Economic Interest

Ethical Practices Board to notify speaker of names of individuals filing statements. Minn. Stat. §10A.09, Subd. 3.

Appointments to Agencies

Ethical Practice Board to submit copies of any statements which candidates must file with it to the speaker. Minn. Stat. §15.0597, Subd. 5.

Acting Department Heads

Notice of designation of a commissioner or an acting commissioner shall be filed with the speaker. Minn. Stat. §15.06, Subd. 5.

Transmittal of Judgments

If any candidate for the house be convicted of a violation of §210A.01-.44, a certificate of such conviction is to be transmitted to the speaker. Minn. Stat. §210A.40.

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

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

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

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

Section
3

Powers and Responsibilities of the Speaker

As Established by House Rules and Joint Rules, 1977-78

House Rules

(1) Presiding Officer of the House

- a) Power to call the House to order. Rule 1.1
- b) Power to excuse members during a call of the House. Rule 2.2
- c) Power to require any motion to be in writing. Rule 3.1
- d) May allow 2 minute statement of reasons why House should not adjourn after nondebatable motion to adjourn has been made. Rule 3.3
- e) Power to recognize members on floor. Rule 4.2
- f) Power to call House or any member to order. Rule 4.3
- g) General powers of a presiding officer under rules of parliamentary procedure. Rule 7.1
- h) Power to order Sergeant at Arms to take action. Rule 7.9

(2) Appointive Powers

- a) May appoint another member to preside over Committee of the Whole. Rule 1.5
- b) Appoints members of standing committees. Rule 6.1
- c) Designates the number of minority members on standing committees. (Minority selects specific members who serve on committees.) Rule 6.2
- d) Appoints chief Sergeant at Arms or designates him from among those elected by the House. Rule 7.1
- e) May appoint temporary Speaker pro tem. Rule 7.2

(3) Administrative Duties and Powers

- a) Directs the Chief Clerk in preparation of general orders. Rule 1.7
- b) Power to issue permits for admission onto the House floor for nonmembers. Rule 4.9

Section 3

- c) Gives permission to members to be absent from a session. Rule 4.1
- d) Prepares schedule of regular committee meetings. Rule 6.3
- e) Power to set times during the interim when per diems are not charged against committee budgets. Rule 6.12
- f) General control of chamber, corridors, passages, and rooms assigned to the use of the House. Rule 7.1
- g) Power to direct the Chief Clerk in the performance of his duties. Rule 7.3

(4) Control of Bill Flow

- a) Presents petitions, memorials, and other papers to full House. Rule 4.10
- b) Refers bills to standing committees after first reading. Rule 5.4
- c) Power to refer committee bills to committee. Rule 5.5

(5) Official Representative of the House

- a) Signs all acts, addresses, joint resolutions, writs, warrants, and subpoenas. Rule 7.1

Joint Rules

- (1) Presiding officer at joint conventions. Rule 1.01
- (2) Certifies election results in conjunction with the President of the Senate. Rule 1.08

D. Appointment of Conference Committees.

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

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

FLOOR MANAGEMENT

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

with all of the duties, powers and responsibilities of the Speaker when acting in his stead.

full *pub.*

This agreement, consisting of 17 pages, has been signed and ratified
this 8 day of January, 1979.

DFL

by:

Irvin N. Anderson
DFL Caucus Leader

Harry Sieben
Harry Sieben

Carl Johnson
Carl Johnson

James Casserty
James Casserty

Al W. Patton
Al W. Patton

I-R

by:

Rodney Searle
Rodney Searle
I-R Caucus Leader

Douglas Carlson
Douglas Carlson

Bob Anderson
Bob Anderson

Jerry Knickerbocker
Jerry Knickerbocker

Bruce Nelsen
Bruce Nelsen

NUMBER OF TERMSNAME

8	Anderson, Irv	
12-1/2	Munger, Willard	
11-1/2	Fudro, Stan	
10	Mann, George	
9	Enebo, Stan	
8	Brinkman, B.J.	
7	Johnson, Carl	Norton, Fred
6	Swanson, Jim	
5	Eken, Willis	Prahl, Norman
	Faricy, Ray	Rice, Jim
	Moe, Don	Sieben, Harry
4	Anderson, Glen	McEachern, Bob
	Berglin, Linda	Nelson, Ken
	Carlson, Lynn	Patton, Al
	Casserly, Jim	Pehler, Jim
	Jacobs, Joel	Sarna, John
	Jaros, Mike	Sieben, Mike
	Jude, Tad	Tomlinson, John
	Kahn, Phyllis	Vanasek, Bob
	Kempe, Ray	Voss, Gordon
	McCarron, Paul	Wenzel, Steve
3-1/2	Kostohryz, Dick	
3	Adams, Leo	Kelly, Randy
	Begich, Joe	Kroening, Carl
	Byrne, Peggy	Metzen, Jim
	Clark, Janet	Novak, Steve
	Clawson, John	Osthoff, Tom
	Corbid, John	Reding, Leo
	Hokanson, Shirley	Simoneau, Wayne
	Kalis, Henry	
2	Anderson, Buzz	Murphy, Mary
	Battaglia, Dave	Nelsen, Doc
	Berkelman, Tom	Stoa, Tom
	Ellingson, Bob	Waldorf, Gene
	Lehto, Arlene	Welch, Dick
		Wynia, Ann
1	Elioff, Dominic	Minne, Lona
	Greenfield, Lee	Otis, Todd
	Long, Dee	

January - 1979

REPUBLICAN CAUCUS SENIORITY LIST - MINNESOTA HOUSE OF REPRESENTATIVES

Number of Terms

Name

12	Searle, Rod	
10	Anderson, Delbert	
8	Erickson, Wendell	
7	Esau, Gil Kvam, Adolph	
6	Heinitz, Lon Niehaus, Joe	
5	Biersdorf, John Pavlak, Bob Wigley, Dick	
4	Carlson, Doug Fjoslien, Dave Forsythe, Mary Knickerbocker, Jerry	Laidig, Gary Pleasant, Ray Sherwood, Glen
3	Albrecht, Ray Dean, Bill Ewald, Doug Friedrich, Don Kaley, Dick	Nelsen, Bruce Schreiber, Bill Wieser, Al Zubay, Ken
2	Anderson, Bob DenOuden, Gaylin Evans, Jim McDonald, Ken	Onnen, Tony Redalen, Elton Rose, John Searles, Bob
1	Aasness, Paul Ainley, John Blatz, Kathleen Crandall, William Demsey, Terry Drew, John Fritz, Mike Halberg, Chuck Haukoos, Bob Heap, Jim Hoberg, Dwaine Jennings, Dave Johnson, Dean Levi, Connie Ludeman, Cal Luknic, Marnie Mehrkens, Lyle Norman, Jim	Nysether, Myron Olsen, Sally Peterson, Bill Piepho, Mark Rees, Tom Reif, Bob Rothenberg, Elliot Stadum, Tony Stowell, Warren Sviggum Steve Thiede, Paul Valan, Merlyn Valento, Don Weaver, John Welker, Ray

NEGOTIATING SESSION NO. 1

Tuesday, November 21, 1978, 9:30 A.M., Room 15, State Capitol

Members Present:

DFL

Irv Anderson
Carl Johnson
James Casserly

I-R

Rod Searle
Jerry Knickerbocker
Douglas Carlson

Members Absent:

Harry Sieben

Bruce Nelsen

Each team has one additional member to be named at a future date.

Representative Anderson chaired the first meeting of the negotiating team. It was agreed that the chairmanship would be rotated on a daily basis between Representative Anderson and Representative Searle.

Agreed that the agenda would be agreed upon before each day's session. Agenda to be determined by Representative Anderson and Representative Searle with all members of the negotiating team having input into the agenda.

Agreed that a final written document stating all points agreed upon by the negotiating teams shall be signed by each member of the team. Each member of the team shall be a House member of the 1979-1980 session. Agreed, that Henry Savelkoul may sit in on the discussions and advise the I-R negotiating team but will not be signatory to agreement.

Agreed, that five (5) members from each caucus, elected to serve in the 1979-1980 Legislative Session shall constitute the negotiating team and be entitled to speak at the sessions. Also agreed that members of the staff, requested to do so, may be called upon to speak.

Representative Searle proposed that the written document contain a statement that the document will be in force until the 1981 session irrespective of death or resignation resulting in change in caucus strengths. Representative Anderson remarked that this proposal would have to be negotiated.

Representative Searle proposed setting a deadline and suggested the date of December 3. After discussion, it was agreed that a date of December 9 would be set and if the committee required additional time, a later date would be set at a future time.

Agreed, that Representatives Searle and Anderson would meet on Wednesday, November 22, 1978, at 9:00 A.M. in Representative Anderson's office to discuss the agenda for the 2nd meeting of the negotiating teams; said meeting to be open to the public.

Agreed, that Representatives Searle and Anderson shall agree between them who shall present the proposals to the committee. Agreed that each member of the committee shall have a copy of any proposal at least one hour before the session begins.

Agreed that the entire proposal has to be agreed upon by both DFL and I-R sides of the negotiating team. Previous agreements to parts of the document are subject to reopening at later date by either side in light of developments.

Parliamentary Procedure -- agreed that the procedure used at the first meeting shall be used at subsequent meetings.

Agreed that each chairman shall provide his own secretary for the session he chairs.

Agreed that the secretary for each meeting shall provide the minutes of each session to each member of the negotiating teams as soon as possible after each session. Each caucus negotiating team will be provided with a copy of the tape for the meeting.

Agreed that the next meeting shall be held on Tuesday, November 28, 1978 at 9:00 A.M. in Room 15 of the State Capitol and that an attempt will be made to hold all subsequent meetings in Room 15.

Submitted:

Louella Zappa, Secretary

Irvin N. Anderson, Chairman

NEGOTIATING SESSION NO. 2

11-28-78

9:00 A.M., Rm. 15

Present: Searle, Carlson, D., Anderson, B., Knickerbocker, G., Nelsen, B.
Anderson, I., Kostohryz, D., Johnson, C., Casserly, J. Absent -- Sieben, H.

Searle chaired the meeting.

Searle presented the agenda to the committee.

Searle: Irv, have you thought about the length of the contract.

Anderson: It is proper that we have a written contract.

Searle: Whatever negotiable paper is presented to the body should stay in tact for 2 years so that the whole ordinary process of state government is not disrupted. All 10 should sign in good faith. Those who do not choose the speaker will support the candidate for speaker so that there will be a clear majority for the speaker. IR's do not want a person in their caucus who would switch caucuses and members of the negotiating team will supply the votes for the speakership.

Anderson: The constitution does not require 68 votes for speaker.

Searle: How would the Secretary of State rules on that question? (Searle says he will ask Joan Growe)

Anderson: We could not ratify an agreement until a speaker is chosen. Discussion.

Johnson: Is it necessary to agree on Point No. 1 at the present time?

Anderson: The term of the contract is one of the most important points to be negotiated. The term is very important to one side or the other. The length of the contract should be taken up at a later date but should be part of the contract. We are not ready to make any kind of a commitment. Have no objection to it being on every agenda. Would Searle be satisfied with a term of 3 months?

Searle: No. But some kind of term should be agreed to before we sign the document.

Anderson, I: It could be written in that at any time one side clearly has the majority the contract could be terminated.

Searle: If there were a change-around we would have to change the whole machinery. Would be willing to stand by the bargain if something happened to members of either caucus so that the other side would have a majority. You're more interested in the political power than serving the people of the state.

Johnson: If we don't get anything done, then perhaps a one-seat majority would serve the state better.

Casserly: We cannot bind those who are in either house today.

Searle: AGREED that length of contract is a negotiable item.

Anderson, I: When either side has a clear-cut majority (68) we are willing to agree that there should be a term to the agreement but it has to include all possibilities that might exist.

Searle: Can you come back with your possibilities. The matter remains before us and subject to negotiation.

Knickerbocker: Agreement should be ratified by all members of the House and published in the House Journal. Committees -- 15 committees plus 1 select committee (Energy). Majority of members on a committee, they can work on any bill that is assigned to that committee whenever a majority of them desire a hearing.

Searle: Any questions as to committee structure? Agreed that we should split committees 8 to 8?

Anderson, I: We would like an opportunity to present our paper. It would be in our best interests to have a committee on Judiciary and a division in Appropriations called "Building Division". (Irv read letter from Searle) (Irv presented a committee list according to seniority list)

Searle: Strict seniority system? (not afraid to go back to their caucus and spell out responsibilities -- feels that talent of people whether they are first-termers or 8th or 9th termers is irrelevant. Seniority is not hard and fast on their side. AGREED that size of committees is negotiable. AGREED that each member would have 3 committee assignments. Building division has no counterpart in the SEenate. Thinks Claims committee is much more important and doesn't agree with DFL chairmanships. Subcommittees should be left flexible.

Anderson, I: If chairman wants more than 2 subcommittees, then he should come to the Rules Committee.

Searle: The speaker should not appoint the chairmen. No objection to IR caucus appointing their own chairmen.

Anderson, I: We could amend the rules by the agreement.

Casserly: We should have expiration dates on everything.

Casserly: Not everyone who has 5 terms or more would be chosen from the pool of people from which you will assign chairmanships.

Searle wants Tax Committee.

Break.

Searle: Should agree on the number of committees and names of committees. Should agree on numbers.

Anderson, I: Should not agree on the number of committees and allow the flexibility of creating a number of committees. We should deal with the number and chairmanships in one writing.

Next, down the list of committees (Searle agrees to:

Agriculture; Appropriations (Divisions of Education, Health, Welfare and Corrections; Semi-State, State Departments (will slide by State Buildings and Claims for the time being); Commerce and Econ. Dev.; Education (School Aids Div); Env. and Nat. Res.; Fin. Inst. and Ins.; Genl. Legis; Govt. Oper; Health and Welfare; Higher Education; Judiciary (should probably have a division of Criminal Justice); Labor/Management Relations; Local & Urban Affairs; Taxes; Transportation.

Cassery: Could a division of Env. & Nat. Res. be Energy, or perhaps one on Solid Waste.

Searle: How adamant are you as to having the vice chair from the same party as the chair? Members of each caucus can make it work. Chairman should have a one-vote control in the committee.

Anderson, I: We should indicate to the general public that we are going to work together.

Searle: Do you want to come up with a method that will allow the floor of the House matters to go in an orderly process. Discussion followed about duties and responsibilities of the chair and if a bill is not good, it should not be allowed out of committee.

Cassery: Could have co-chairs. People are concerned about having bills heard. Makes more sense not having committee chairmen but committees have got to reflect the structure of the House.

Searle asked Irv if he would be agreeable to co-chairs.

Johnson: Give and take ought to occur within committees instead of between committees.

Searle: Need some way to settle matters when an impasse occurs.

Anderson, I: Our present position is that the DFL cannot move from its position that all committees should be equal.

Nelsen: Chairman and vice-chairs of the same party -- equal committee members?

Knickerbocker: Each caucus shall choose committee members and chairmen?

Recess for lunch.

2:30 P.M.

Searle: We have been busy trying to go over our positions. They have agreed to 16 committee titles on our list with 2 minor exceptions. Put Energy under Env. and Nat. Res. Delete State Buildings and Claims from Approp. and add Criminal Justice to Judiciary.

Anderson, I: We should discuss entire makeup of the House on Wed. morning along with Rules and Legis. Admin. and the Speakership.

Searle: We did not agree that the seniority system is best. We will elect committee chairmen from the caucus. If the caucus wants to elect they are going to elect chairmen they are going to have. Once we agree on the number of committees there might be accommodations.

Johnson: Do you just want a list of committees or some sort of divisions?

Searle: We would want the number of committees. We ought to lay the groundwork first. One side or the other may have to give up some committees. We have to know the committee system and how it's going to work.

Anderson, I: When we conclude the meeting, we should have a proposal for what we are going to discuss in the morning. AGREED that we should discuss:

1. Names of Committees
2. Party of the Chairman
3. Approximate size
4. Subcommittee structure

Anderson, I: Subcommittee chairmen should be at the same level as they are now and are more important than a vice-chairman.

Searle: Can't we agree on how many subcommittees there should be?

Casserly: There should be a limit on the number of subcommittees for each committee.

Anderson, I: Willing to talk about vice chairmen being of the same party as the chairman.

Searle: Agreement that each caucus would chair the equal amount of committees? Membership of committees being split equally would not work.

Anderson, I: Remains adamant on the 50-50 split.

Searle: Good legislation should not be stymied in committee. It should get to the House floor. DFL should choose their own committee chairmen that they want. IR would elect their chairmen. Are you so adamant on this part that you wouldn't consider any committees where there wasn't an even split.

Anderson, I: We will listen to your arguments.

Johnson: If legislation is tied up in committee, then it is lost. The majority of the group should recommend the passage of legislation.

Searle: We feel there should be a one-vote margin on Approp., Education, Genl. Legis., Gov. Op, Health and Welfare, and Taxes. Don't need a one-vote margin in Appropriations Divisions.

Anderson, I: Position is that we would have even distribution of committee memberships and it's my position that I will not accept a 2-year contract.

Discuss A-F No. 3 (on IR proposal) on Wednesday morning.

Anderson, I: Would be willing to amend the rules so that a bill can be pulled from committee at any time during the session. Agenda for Wednesday -- 1. Names of Committees; 2. Party of chairmanship; 3. Subcommittee structure; 4. Approximate size of committee; 5. Discuss election contests and reports from the District judges -- set up some procedures on how the House will act in relation to election contests. House Rsch. Dept. will put together our responsibilities (under statute) and the procedures to be used by the House in election contests. Some of the questions to be answered: route that the election contest would follow -- comes to the House; assigned to a committee; come back to the floor; which contest has priority over the other -- unfair campaign practices has priority over those that are votes only -- if the contest goes to a committee that election contest would come back before the House floor no matter what the committee recommendation would be. What are our responsibilities under the present system. WE should bring in a position paper (details as to the procedure to be used.)

Carlson, D: Objects to election contests being an official part of the agenda.

Next meeting 10:00 A.M., Room 15, State Capitol.

Meeting adjourned.

Republicans agreed to the following committees:

Agriculture

Appropriations (1 vote margin)

Education

Health, Welfare & Corrections

Semi-State

State Departments

Commerce and Economic Development

Education (1 vote margin)

School Aids Division

Environment and Natural Resources

Financial Institutions and Insurance

General Legislation & Veterans Affairs (1 vote margin)

Government Operations (1 vote margin)

Health and Welfare (1 vote margin)

Higher Education

Judiciary

Criminal Justice

Labor/Management Relations

Local and Urban Affairs

Taxes (1 vote margin)

Transportation

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

page 5

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.

PRESENT:

I. Anderson	R. Searle
D. Kostohryz	J. Knickerbocker
C. Johnson	D. Carlson
J. Casserly	B. Nelsen
L. Carlson	B. Anderson

Rep. Searle chaired the 4th meeting of the negotiating committee.

Rep. Anderson indicated to the negotiating committee that alternates had been named for the DFL negotiating team. The alternates are: Lynn Carlson, Ray Faricy, Carl Kroening, Al Patton and John Sarna. The alternates will not vote and will not be signers of the final negotiated document.

Rep. Searle indicated that Bill Dean, who is the 5th member of their negotiating team, is being represented by Bruce Nelsen.

Rep. Searle presented the I-R position paper. The first item on the agenda was time frame of the contract. I. Anderson replied that the time frame is subject to negotiation.

Rep. Searle presented a copy of a letter he had written to Secretary of State, Joan Growe (Ex. A).

Casserly: There should be two committees -- one on criminal law and one on civil law. Searle: Doesn't want a lot of new chairmen or subcommittees. Can keep it about the same size we have been operating under. Doug Carlson: could be divisions called "Criminal Law" and "Civil Law". Discussed.

Searle: Does not agree to a Claims Division? Subcommittee?

Anderson: Claims does not require division status.

Searle: Maybe that's something we could agree on later.

Anderson: Do not agree with "D" on page 3 of I-R position paper (Ex. B). Seniority.

Searle: I-R caucus agreed that when it comes to making a decision on committees, some may be on seniority and some on other factors.

Anderson: Is it your caucus position that you are going to elect those people?

Searle: Possible. We'll take that up at the proper time. We're asking for your key to an impasse.

Anderson: We're making a major concession in giving you Appropriations.

Searle: We're trying to split these so that it is fair.

Anderson: If the IR thinks that the DFL is such a great spender, then the IR should take all the Appropriations Committee.

Dec. 4

p. 2

D. Carlson: Are you offering a 1-vote majority of the committee so that we can control the spending?

Anderson: We are offering the Republican caucus the chairmanship of the spending committee. DFL deserves the Committee on Taxes. A major concession is the chairmanship of the Committee on Appropriations and all four divisions.

Searle: We should lay them all on the table instead of doing it piecemeal.

Anderson: We would like the chairmanships of 3 committees of our choosing for the committee on Appropriations.

Searle: Which ones?

Anderson: Subject to negotiation -- Financial Institutions, Judiciary, Local and Urban Affairs.

Searle: Very generous. You started in left field.

Searle: Gov. Op. not to have workmen's compensation. Agreed to Criminal Justice in addition to a Judiciary Committee.

Anderson: Offering the Appropriations Committee with the Divisions. You ought to accept the responsibility we have offered you.

Casserly: Call it Commerce, Economic Development and Housing.

? Commerce, Housing and Economic Development.

Casserly: The Senate has an Energy and Housing.

? That was going to be my question. Has that worked well? Why not put it with Energy to be comparable to the way the Senate handles it.

Anderson: It apparently has worked well in the past even though they might have had their Housing with Energy. It should not cause us any problems to have our Housing with Commerce and Economic Development.
I think there is more

? Is there any reason not to put it after

Casserly: I don't think it makes much difference.

Anderson: No.

Casserly: I think there should be some attention give to

Anderson: We also believe there ought to be a standing committee of Criminal Justice and then we go on to the next item which is the creation of a committee of Education and Higher Education and one subdivision of School Aids which has the status of a full standing committee. Committee of Energy, a Committee of Environment and Natural Resources

Anderson: That is our position relative to what we feel are the appropriate number of committees to be established by the 1979-80 legislative session. Going further into our paper you will find on the first column to the right that the committee of Agriculture should be chaired by a DFL member

.....further into the paper membership on all committees, division and subcommittees will be evenly divided between the two caucuses. We retain our position in that regard even though we discussed it at length yesterday. Where the chairmanship of one committee is assigned to one caucus the vice chairmanship be assigned to a committee member of the same caucus. We indicated yesterday that it is our feeling that we will concede to the IR request in that regard and hope that you would yield to our request that the membership on committees shall be evenly divided. The chairmen of all committees shall retain their present powers as defined by the rules and no. 7 allotted subcommittees shall be designated by the chairmen with the advice and consent of the caucus leader or speaker; the chairmanship of the subcommittees shall be assigned to a committee member of the same caucus as the committee chairman. The committee jurisdiction shall be the same as in the last session except that modifications made in no. 3 above and that is the list of committee assignments that worker's compensation shall be assigned to the Committee of Labor/Management Relations Committee. That is our paper for today.

Anderson: If there's any questions, we'll attempt to answer them.

Searle: First, I think I'd want a silent prayer and your generosity overwhelms me really. Although it looks, it looks quite even on the surface, when anyone who has been around here long enough views this you'll see that it is quite heavily loaded in your favor and I guess we'll have to go through point by point, Irv, and at least suggest to you that we do not right out of hand do not agree that we should be assigning subcommittees to even brand new committees that we don't know what kind of a work load they're going to be and I notice that you ah, you were very generous in giving the only two committees that have four subcommittees to the IR and maybe we wouldn't even want any subcommittees so apparently that would throw your parity figures out the window. You made a gracious gesture as far as Appropriations Chairman is concerned but the real meat and heart of the Appropriations process, you've gathered to your own bosom. That doesn't go unnoticed. I'm not sure that we're going to agree with you on that fifth State Buildings/Claims although it looks like you can put the two together there is no compatibility with the the jobs that those two subject matters would bring. As we said yesterday, we think that the system that was created since you people took charge 6 years ago even over the objections to our wanting to do away with the Building Commission at that time has worked well so that the chairmen of the different divisions have not only the programs, for instance, in Education where I'm used to working with Mr. Faricy and it makes it very easy after you've viewed the programs, the budgets, to look at the buildings or renovations that need to be done to carry on those programs and I think that we can, although we have not, we have not talked about this, I don't think that we're going to buy that 5th Division Chairmanship there. Ah, one thing we notice that you have done really is that you created more committees. That isn't necessarily the way we want to go. We want to hold to the, pretty close to what has been in effect the last few years. I don't want to get into individuals. I think that I'll let some of the other members of our team chew on this a little bit. These would be just some opening remarks plus the fact that I think we should allow flexibility on the size of committees that you have specified precisely how many you want. Again, at this time no one knows what the workload is going to be. We'll have some questions to ask as to other than Workmen's Compensation with the creation of several new committees where certain pieces of legislation, in your estimation, would be housed and I think that's all I'd say at this time. Jerry, do you have some observations?

Jerry: A couple of things. When we were talking ..to the agenda we had yesterday ah, we covered most of the points, I was wondering if you were going to include, and you haven't mentioned it here anywhere, that if indeed, the caucuses split evenly, the membership of all committees, divisions and subcommittees how we go about resolving impasses. We talked about that yesterday. Ah, you didn't mention any method in presentation this morning.

Anderson: Well Jerry if we have to then what we might consider doing is listening to a tape of the previous day's meeting because I list here, here's my notes, on what the agenda consists of and it does not include how we overcome impasses.

Jerry: Well, one of the things that we talked about yesterday was

Anderson: We talked about many things yesterday, Jerry.

Jerry: and if it's your intent to handle that in the permanent rules, you know, that's fine, or some modification of the existing rules, that's fine, I

was just wondering if that is your intent.

Casserly: That was at least my intent. I thought that was what was my intent. I thought that what was expressed we had to deal with that problem not only in that situation but the other ones we talked about and so we're going to have modification in our rules and it's got to be particle. I just think that's going to come and part of the problem of doing this is that ;you have to do it by section and so you know when we get this somewhat accomplished we can go on to the next section.

Jerry: I just wanted to make sure that wasn't something we overlooked and that will be something we take up take that up when we get to the part on the rules committee or the permanent rules.

Is there some specific reason that workmen's comp. would be assigned to Labor/Management Relations Committee? You know, you singled that out specifically, ah, is there some special need there or problem that the rest of us aren't aware of?

Anderson: I don't think there's any specific problem except that, ah, the DFL feels very strong about workmen's compensation and

Searle: Don't think that we don't

Anderson: Well, I'm sure that you do. I have personally felt for a long time that that both the questions of workmen's comp. and unemployment comp. ought to be in Labor/Management Relations Committee so I know that in the history is that it has always been assigned to Government Operations Committee. This is a step in that direction.

Searle: Would you be willing then to change leadership -- we'll give you Government Op. and we'll take Labor and Management Relations.

Anderson: Are you suggesting that we exchange the chairmanships of the two committees?

Searle: If you're going to put workmen's comp. there.

Anderson: You ought to remember that unemployment comp. remains with Government Op.

Searle: I'm just making a suggestion.

Anderson: Are you making that as a proposal?

Searle: Anything that's on the board.

Anderson: Well, you have not said that it's a hard proposal that

Searle: That's what you were doing yesterday. You were putting them out, taking them back, will 'o the wisp type of thing. Anything goes.

Anderson: I don't think that we laid anything on the table that ah that any time you want to ask if it's a hard proposal we'll give you a direct answer.

Searle: We didn't get it yesterday.

Anderson: Well

Searle: Today is a new day?

Anderson: You have to ask the question first.

Searle: We asked them but we didn't get an answer.

Jerry: Where does that go at the present time in Government Operations? It probably goes to a subcommittee.

Anderson: I would imagine that that's one of the subcommittees.

Jerry: Well, you have 4 if you're going to do away with 1 which one are you going to do away with?

Anderson: I don't know what the existing subcommittee structure is but some of our standing committees had as many as 5 subcommittees in the past session.

Jerry: I think that was one of them.

So your intent would be to do away with the subcommittee that probably was hearing workmen's comp in government op.

Anderson: I don't think we're saying per se that do away with that subcommittee because it probably also handled unemployment comp. I don't know. Harry's not here and he probably could answer that question more intelligently than I can.

Jerry: Government administration and structure internal state government Six of them last session.

Anderson: We've cut that down to 4.

Jerry: And you're giving 4 to Local and Urban Affairs. What would be your intentions in creating new subcommittees. Let's say you've got 2 standing subcommittees as general rule of all the committees and you have some new problem that crops up. Ah, how would the chairman go about addressing that problem? A number of bills come in relating to that new subject let's take the power line because that's pretty recent. Would it be your intent to then put all of those legislation, proposed legislation, workload into one of the existing subcommittees? Or, would the chairman have some option of coming to the rules committee and say, we got this special problem, special need for the specific period of time to take a look at this and we need to create a new subcommittee is there some sort of vehicle there to react to you know, a unique situation?

Anderson: Well, there are a number of alternatives that would be available to that chairman. One of which would be of some significance he might come to the rules committee and say let's establish a select committee on the issue or he could assign the question to one of his existing subcommittees. I would doubt that the rules committee would look kindly towards the creation of one individual subcommittee but it's a possibility so I think there's 3 options there available to him right there and if he's done a good job of selecting the people on his subcommittee, he's got no problems with

the assignment of something that just might be a little bit foreign to his committee but still within the jurisdiction of that committee but a little bit something new to one of those subcommittees.

Remember, the duties of a committee chairman are very important and he has to deliberate to make certain that the people he has assigned to a subcommittee, are the right people and he should know the temperment of each of those subcommittees. Did you want to say something?

Casserly: Yes, I guess we haven't talked about this much ourselves but I...but there should be a procedure where additional subcommittees would be created. It's one of those continuing things that we're going to have to try to resolve. Maybe we'll have to have something like a division of rules or a continuation of the negotiating committee or something I don't know what the answer is going to be but we're going to have to have some procedure where we can resolve things like that. Let me just make a point on the subcommittees since that's where most of my experience happened.

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Searle: It would seem to me in looking at the direction that you're going in that you geared your whole bargaining process to take care of the political appointees that you have to make in your caucus because you have more veterans than we have. You came out with the seniority system yesterday which we, for 6 years, haven't had a seniority system and haven't needed it. You all your assumptions on seniority yesterday. That was where we got into it and we have said ...

Anderson: Let me ask you a question, Mr. Searle. You have not exerted your seniority within the House of Representatives to gain new status within this legislative body?

Searle: Not any more than was given to me by the majority of the House of which I was not a part.

Anderson: But I also think that there was some status given to you because of your seniority.

Searle: That could well be -- custom and usage of

Anderson: Well, you use only different terminology rather than seniority to gain you those positions when in fact it was seniority that provided you with that.

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Jerry: I'd like to get back to one of the items on the presentation this morning. What were you thinking of No. 7 where you have a lot of subcommittees shall be designated by the chairman with the advice and consent of the caucus leader or speaker. Would it be necessary for an individual to go to both or either or or

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Searle: The amount of time that Claims takes and I'm sure that Mr. Faricy can tell you - he's been the chairman of that - and the the intricities of personal problems and even state department problems that he gets into needs consideration. I feel that the state building programs are being handled very well right now under the divisions and we're just saying that we don't like the tie up of the two.

Anderson: Are you saying then, Mr. Searle, that you might consider favorably a new division of Approp. of only Claims?

Searle: Either that or a subcommittee. It has to be addressed that's true.

Anderson: Which would you prefer? A subcommittee or a division of Approp of Claims. Yesterday you proposed it as a subdivision.

Searle: A subdivision either a division or a subcommittee. They're either divisions or subcommittees.

Anderson: Presently there are no subcommittee of Approp. Yesterday,

Searle: There is no such thing as a subdivision.

Anderson: We call them subdivisions.

Searle: We call them divisions.

Anderson: Well, Ok. I guess we're talking about the same thing but using your terminology, do you believe that there should be a division of Approp. established as Claims or a subcommittee of Claims established.

Searle: It could be a division.

Anderson: I guess I'd like to know what your proposal is in that regard. Yesterday you said

Searle: Your proposal. We don't like it because you've taken buildings and put it with claims.

Anderson: Well, I guess what I'd like to know is whether you're backing off from your proposal of yesterday in that regard or are you still of the belief that it is of such importance that there should be a division of claims.

Searle: There could be a division of claims.

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Searle: What you've done here, Irv, is you've taken the 3 great big divisions that handle most of the dollars of the state budget and given them to your people and you've thrown us the crumbs.

Anderson: Mr. Searle.

Anderson: You mean to tell me that to have the chairmanship of the Committee of Approp. is a crumb?

Searle: I was talking about divisions where the bulk of the work is. I'm not talking about the chairmanship of Approp. I'm talking about the divisions. That's what we were addressing ourselves to.

Anderson: We were talking about the Approp. Comm.

Searle: The overall but I'm talking about the divisions of Approp-. and the amount of work and responsibility that they have because I've wandered through that maze over 20 of my 22 years. That's true. But I would not give the same weight of importance to the claims as I would for instance to ~~the~~ Education or to Health and Welfare, that's all. And that's the same way with any of the other committeess that we're going to have to justify or you're going to have to justify to us how you weighted these things so that all of the so called, I won't say all but that isn't fair most of the goody ones are weighted to your side and that's the thing we're going to have to

Anderson: You see we took your words of advice yesterday and when you people said that it's most important that we have people of most ability, experience

Searle: I can't think of anybody more experienced and with better ability than Fred Norton for Appropriations.
and

Anderson: wisdom in regard to the various committee chairmanship assignments and we said now who should really be the chairman of committee of transit and we said, well it looks to me the people with the most experience in that regard are democrats and so therefore we should have a DFL chairperson. You see, we took you

Searle: Funny you should bring that up I sat next to poor Bernie Brinkman last night and this guy really really killing because you've eliminated his committee.

Anderson: No, we didn't eliminate his committee.

Searle: You eliminated him as the chairman of his standing committee which he's had for a number of years but he said, "don't worry, Rod, because I'm going to get Taxes."

Anderson: Is that right?

Searle: That's what he told me. He said, I got seniority. I said, "wait a minute, Bernie, maybe what I could do is to relinquish my position. under seniority, I could, heck I could go up for Taxes.

Anderson: You know what? I sat next to Joe Niehaus and he said, you know I'm not so awfully sure that I'm not even going to get a chairmanship and I said, "don't worry, the Rep. caucus will take care of you Joe."

Searle: We haven't made any promises to anyone.

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Anderson: Well it wasn't easy, I'll tell you that, it wasn't easy to give up the chairmanship of the Committee of Appropriations.

Searle: I'll have to talk to Fred.

Anderson: Is that a promise?

Searle: To talk to him?

Anderson: No. that he's going to help me get it back.

Searle: Sure we can help you get it back. Actually, what we have done is to continue to put out those things that we think are important -- we won't bore you with a written contract and all those things. We've been through that before. And I'm not sure that we made any changes under No. 2, Committee Structure, we still feel that there has to be an impasse breaking situation of some kind and then but I think that we should go through No. 3 because we've never really addressed ourselves to it and it does relate to some of the things that we've been discussing this morning. In order to balance what we think are the authority the real authority in the House, when it comes down to the weighting of importance of committees and the types of legislation. We appreciate that you're moving from your position that perhaps the chairmen and vice chairman should be of the same caucus but we feel very strongly that that chairman of approp. should be opposite that of taxes. That you have addressed. We felt that the divisions of Approp. should be more evenly divided and you've shown a willingness to make here this morning. We feel that the chairman of Education/Higher Education, should we buy that concept, which isn't all that bad, should be a member opposite the caucus that would handle school aids. In trying to divide the responsibilities of the House the reasons that we're suggesting these things we still would like to pursue No. E or letter E that in order to expedite the business of the House committee system or subcommittee system there should be placed in the chairmen's and the committee's responsibility the right to have a majority and that cuts down both party lines equally with their chairmanship. F we've addressed ourselves to as have you except for the second part of it where we think that it might be well for a majority of committee members to be able to force action on legislation. We have talked a great deal about that again, that addresses itself Jim to what you brought up perhaps some kind of a rule change or it would be handled somewhere else and that I think that you came up with the same thing on G that subcommittee chairmen would be of the same caucus as the chairman. That's in agreement. H we've already addressed ourselves to this morning that there should be no more than 2 subcommittees unless agreed to, say, the rules committee or some appropriate committee that would handle that and then what we've done is to show our committee organization structure and with a more flexible figures of that I think is needed for instance, you go down the ones that we suggest for the IR's, Commerce and Econ. Dev., 25 and 29 members, Fin. Inst. the same, Genl. Legis. and Vets Affairs 17 to 21 and these believe all go so that the number that you have given all fall within those flexible numbers in all cases of Gov. Op. 27 to 31, Judiciary, Local and Urban Affairs and Taxes. And then for the divisions, we've tried to divide those up to what we think is a more fair distribution where there would be two of the major ones on our side, H, W & Corr., State Depts., and we would suggest that you keep the one on Educa. because of the very fine chairman that you have there and also the Semi-State. We've given you one more standing committee if you notice and we've

balanced off with the School Aids division on the other side so that it cuts right down the middle so that very briefly, Mr. Chairman is where we're coming from this morning.

Casserly: It looks like 10 divisions

Searle: Committee chairmen and divisions. Yes, 10 on each side.

Casserly: You feel that this is a very fair split.

Searle: I think it's a lot more fair than we've seen on the other side of the table. At least they're judgment decisions, Jim, you've got to understand that you may place more weight on a committee than we do and we understand that and that's one of the reasons we're here.

Casserly: What if we were to reverse these two things at the top here and put DFL on the left hand side and IR on the right hand side.

Searle: Of course the same thing could go on your list too.

Casserly: We're not talking about your list right now. We're talking about your list.

Searle: We have 2 lists so what is good for the goose is good for the gander.

Casserly: We were talking about doing that yesterday as a matter of fact. It took me 24 hours to figure it out and today what if you were to agree that the DFL had the left hand side and IR had the committees on the right hand side. Just a hypothetical.

Searle: I understand that. In answer to your question, I don't see any way that we would divide it down and automatically switch. You know, you can play that game all day. We have to go down and say

Agreed: Agriculture
Appropriations (5 divisions and split the responsibility -- caucus that
Education chaired Approp. would have 3 of the
Health, Welfare & Corrections remaining divisions -- create a 5th div.)
Semi-State Searle: possible but at this point we're
State Departments not ready to go on a 5th)
Commerce, Economic Development and Housing
Education

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.

Casslerly: 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.

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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 to 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.

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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.

Casslerly: 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.

Casslerly: 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.

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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.

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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.

Session No. 6, December 7, 1978, 10:00 A.M., Room 15, State Capitol

All members present except Jerry Knickerbocker and Harry Sieben. Lynn Carlson sat in for Sieben.

Rep. Searle chaired the meeting.

Agreed to go through the agenda today. Each side presented and start again on Monday, December 11.

Peter Levine of House Research presented an additional document (Ex. A).

Discussion followed regarding the various commissions to which the speaker appoints members.

Mr. Levine was instructed to provide the names of the Representatives who serve on the various commissions.

In agreement on Section 2.

Section 3. Discussion of written motions.

2d. IR believes the Speaker should appoint the Sergeant at Arms.

Negotiate item of Speaker Pro-tem.

3a. Keeping same system but doing away with alphabetical order. Mr. Burdick answered questions by the committee.

3e. Discuss. Could be in contract.

Section 5. As established by custom (discuss.)

The December 6, 1978 document from House Research was discussed.

The next meeting will be held Monday, December 11 at 2:00 P.M. The agenda will include:

1. Structure of the Rules Committee and those functions (prepare documents)
 - Membership
 - Chairperson
 - Role and Functions
2. Committee Structure
 - Chairmanships
 - Makeup of Committees
 - Political Structure
 - Subcommittee Structure
3. Speakership.

PRESENT:

B. Nelsen
R. Searle
B. Anderson
D. Carlson
J. Knickerbocker

I. Anderson
H. Sieben
J. Casserly
C. Johnson
A. Patton

1st item on agenda -- DFL paper on Rules Committee.

DFL Position -- Equal number of members on committee -- I-R in agreement

Carlson: Rules Committee should have a regular meeting time.

B. Anderson: Could be scheduled. You don't have to meet. -- come back to this question

Nelsen: Would rule changes be incorporated into the negotiated document.

I. Anderson: Amendments should be presented to the Rules Committee and if adopted would be reported to the House Floor.

B. Anderson: This would tie in the Rules Committee on reference of bills.

Carlson: What is your position on chairmanship of the Rules Committee.

I. Anderson: Joint chair. To be negotiated.

Searle: How do you break impasses. Even on Rules Committee. Do you want to break impasses.

I. Anderson: That's why we're here.

Carlson: Who could call a meeting.

I. Anderson: We alternate on the same basis as we are here today.

Carlson: A meeting at a time?

I. Anderson: A meeting at a time.

Searle: Bring up our paper first. Appointments shall be of proportionate numbers. If there is a vacancy the caucus that is vacated would be filled by the caucus vacating. Speaker shall be an ex-officio member and shall vote only in case of a tie. Allow Speaker to handle committee with one secretary and staff. Why have 2 secretaries working with these things.

Casserly: sees nothing partisian about making agenda and doing the minutes. You could put anything on the agenda you want.

Searle: Shouldn't have 2 people doing the work of the Rules Committee.

Casserly: 2 co-chairs.

Knickerbocker: Put anything on the agenda by either chair.

I. Anderson: Co-chairs and either one could call a meeting.

Searle: One more than half in the Rules Committee.

I. Anderson: Suppose you were chair of Rules. How would we get our items onto the agenda. How do you go about getting a meeting called. We should discuss all possibilities.

Searle: Perhaps the chairman should be of the caucus opposite the Speaker.

I. Anderson: Let's get back to getting an item on the agenda.

Sieben: A number of members of the committee could put an item on the agenda.

I. Anderson: Leave the power of calling a meeting to the caucus leaders.

Searle: Should have at least one meeting per week as needed.

I. Anderson: Both sides have to keep records so the question of staffing becomes moot.

Knickerbocker: The work of the rules committee -- special orders, employees. What would be the objection to putting something onto the agenda.

Searle: Tie in a vehicle where we have agreed that the floor leadership responsibilities would go back and forth. Balance out the mechanism of the leadership on the floor with the chairmanship of the rules committee. Either side could call a meeting if there is 1/2 + 1 agreeing. We are suggesting that the rules we negotiate would hold through the end of the regular session when they would be reviewed. Contract would run through the end of the first year of the biennium. Members of the negotiating team would be on the rules Committee.

Cassery: The rules committee has to have a method whereby it could be called into session rather quickly. Need it throughout the session and perhaps for some time after that.

Searle: We have to have agreement on calling Rules Committee meetings. Not hung up on a rigid schedule. Have to have a regular vehicle when the rules committee could be called. Agreement will terminate on such a date with a vehicle to call a Rules Committee meeting.

I. Anderson: What do you see as the duties of the floor leader.

Searle: As you have been doing for the past 6 years. Working with the Speaker on the flow of business. We didn't ask for a recess unless we had a very good reason.

Carlson: This is going to be a session where we're going to have to have a lot of trust.

I. Anderson: One side or the other has the floor leader. We'll have to discuss this.

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Knickerbocker: Are there any advantages in having the floor leader in the last days of the session.

Searle: What about things coming from the Senate.

Anderson & Searle to discuss about how we're going to operate if we're still not organized on January 4.

I. Anderson: I don't see any difficulty with that. Maybe Joan Growe will be in the chair on January 4. No matter what condition the House is in we'll accomodate the Governor. We will write him a joint letter.

Who is going to swear in the House members on the opening day.

Searle: A supreme court justice. We should start the mechanism on that.

I. Anderson: Chief Justice Sherin?

Searle: Sherin would be fine.

I. Anderson: We'll write a letter to Sherin.

Sieben: Part of our agreement should be accepting the results of the courts that rule on the election contests. Do you think it's not a fair procedure.

Searle: Wants to take that under advisement. There's the business in the separation of the powers.

Sieben: Court has to make a decision. We should follow the recommendation if they make one. Court makes a Findings of Fact and a recommendation but not an Order.

Carlson: What about an indictment.

B. Anderson: What about the time.

I. Anderson: Expects that the court would find before the session.

Searle: We'll give it some thought and put it on the agenda for tomorrow.

I. Anderson: If there was an unfair election process we want to assure the citizens that they had a fair chance of voting. We should provide a vehicle by which election contests can be brought to a speedy end. Each should submit a paper on election contests.

Searle: Don't know if it could be ready by tomorrow but will have by the end of the week. Will try to have a paper on this by Thursday.

Knickerbocker: I assume you will have a paper also.

Sieben: Thinks we should accept the recommendation of the court.

COMMITTEE STRUCTURE

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Searle: Feels that committees should have one-vote majority. On subcommittees, recognizes the value of subcommittees. We could accomodate you pretty much on what you would like to do on subcommittees if the subcommittee structure would be for the session only and reviewed after the session so that they do not become permanent standing subcommittees.

I. Anderson: Just for the first session?

Searle: Would like to curtail work during the interim. Don't want to give carte blanche for subcommittee chairmen running during the interim. We should look at the subcommittee structure and their activities during the interim. Need a chance to review after the first session.

I. Anderson: Jurisdiction of the standing committee should fit into the subcommittee structure we've provided.

Johnson: You will have 2 subcommittees to deal with the issues sent to the committee. Review process at the end of the first year to look at the budgets.

Money does not come from the budgets when the legislature is in session.

Searle: We're suggesting that no money is expended on the subcommittees until we have had a chance to review them at the end of the session.

I. Anderson: How are you going to set up a budget system.

Searle: Budget is set up for the committee -- not the subcommittee. The subcommittee should be under the chairman. I have seen some subcommittees doing things I feel were not appropriate and I would like to see that cut down. Some vehicle to review what the budget is going to be used for in the interim.

I. Anderson: Subcommittee system cuts down the amount of money the standing committee is going to use.

Searle: That was a question I asked last year. Do you feel the subcommittee chairmen are going to be treated the same way as full committee chairmen have been treated as far as staff. How would they operate. Would they have individual secretaries. People who are not going to be here in January should be given proper notice and the I-Rs should be given opportunity to hire proper people.

Cassery: We can't operate Local and Urban Affairs and Governmental Operations with only 2 subcommittees. Too many bills.

I. Anderson: Chairman doesn't have the power to appoint as many subcommittees as he would like to.

Searle: There could be at least 2 in every committee and if they wanted more they would come before the Rules Committee for permission to create more. Not hard and fast. At least 2 for every committee. We would like to see it referred to in a more flexible way. Should be flexible depending on work load.

I. Anderson: The negotiating committee should set the number of subcommittees. Ought to structure.

Knickerbocker: Take the prerogative away from the chairman?

I. Anderson: Why can't we do it here?

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Searle: You created a special Committee on Energy and we agreed.

I. Anderson: As to specific numbers (not fair about this point.

SPEAKERSHIP - Duties and Functions

Searle: We will outline duties and perogatives of speaker as you see it now (we talked about it last Thurs.)

Casserly: Are you going to present any further papers.

Outline the duties of the Speaker.

5-minute break.

I. Anderson: Position papers on duties and responsibilities of the Speaker for the next meeting.

Searle: The 15th is breathing down our necks. Tomorrow each side should come in with a document that compromises the entire picture of Speakership, Rules Committee and Committee Structure in its entirety. Put it before each other and see where we are in agreement. Concentrate on areas where we disagree. Asking that we be given the liberty of coming in (paper could be late)

I. Anderson: Paper intended to put into one document all the previous papers we have submitted.

Searle: Those areas where we disagree we could break the impass. Has to be done in contest of the whole picture rather than just one segment.

I. Anderson: Whatever position papers and discussions have brought forth from our perspective.

Searle: We would make some accomodations where we have been hard-headed. Recognize the necessity for compromise. Would have some compromises in the whole gammet broken down in an orderly way.

Searle: Meet right after lunch for 2 hours or so. Give staff and rest of committee a chance to look it over while we're gone.

I. Anderson: Doesn't want to forego the possibility that we can reach agreement. Shouldn't be restricted as to time.

Searle: Each presenting document tomorrow so tht by Thurs we have a final position as to where we ought to be.

I. Anderson: Would like us to have enough time to get into a hard bargaining session. Should we consider the matter of floor leadership?

Searle: Yes. Speaker, floor leader, rules committee and all committees. Important that we have an overall document that we can work from (no matter whose).

I. Anderson: Perhaps we should present a paper tomorrow and come back on Thurs. to discuss it.

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Searle: We lose 2 days and would like to discuss it tomorrow.

I. Anderson: Meeting when? What time?

Searle: 1:30 P.M. Tuesday. Would like to get one document that says where our differences are. Let staff make the comparisons on Wednesday.

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Searle chaired the meeting.

Both sides presented their papers.

Searle: Withdrew from 2-year contract proposal.

Carlson: Do you think this is a major concession to give us 10 chairmen and you have 12 chairmen whereas it was 13 to 9 in your previous paper.

I. Anderson: It was a concession.

Searle: All existing committees and Divisions shall be established. You compare oranges and apples saying State Departments and Government Operations are comparable.

I. Anderson: Govt. Oper. does compare with State Departments.

Searle: The weight is off there.

Cassery: Suggested that caucus leaders decide where the bills should be referred. If the caucus leaders can't decide then the bill should go to the Rules Committee for reference.

I. Anderson: DFL concessions. Subcommittee system - to rules committee for creation of additional subcommittees (upon request by chairman) 2. Speaker appoints conference committee members. 3. Either co-chair of the Rules Committee could call a meeting of the Rules Committee with 24-hour notice. 4. Floor leader shall be a member opposite the party of the speaker.

Searle: We could go back and look at these committees and the chairmanships. Would be happy to come back and re-evaluate this.

I. Anderson: I thought you were going to come in with major concessions.

Searle: Not until we can get the whole picture in front of us.

I. Anderson: The IR would have control of every money committee in the House.

Searle: Reverse our papers. Firm offer.

I. Anderson: Okay. (Discussion followed and Searle backed off)

Meeting No. 9 on Thursday, Dec. 14.

Searle: Take the 2 papers and see where the differences are and try to work from that. 3:00 P.M. Thursday. Same format as today. Will not provide with papers. Each bring in any changes we can make in these 2 documents. Will work from the DFL paper. Schedule as to staffing and personnel. Anxious to know. When can our new people start moving into offices. What kind of arrangements. How many staff members and other accommodations. Telephones. Rooms. People brought on to take care of new people.

I. Anderson: How can we agree on space when we don't know where chairmen are going to be.

Searle: Concerned about steno pool to take care of 33 new people. AA's to committee chairmen. Will come in with any modifications or positions on your paper.

Present:

Anderson, I.
Casserly, J.
Carlson, L.
Kostohryz, D.
Johnson, C.

Searle, R.
Knickerbocker, J.
Nelsen, B.
Anderson, B.
Carlson, D.

Irv Anderson chaired the meeting.

Searle presented I-R position paper on election contests. Agrees with the DFL that election contests should be addressed. Should have a vehicle. Should follow orderly procedure down through the House. Negotiable item as to what committee it should go to -- select committee or standing committee. Today feel out the whole area of election contests and see if this type of vehicle is the one you want to handle it- (Ex. A)

Irv: Our paper says the entire House handles the paper. I-R paper provides going to a standing committee and they make a determination and that matter would come to the House as a whole. How would special committee or standing committee get political. If research were done we would find that in some point in history the DFL vote for their man and I-R vote for their man. What is the best manner to handle it. Once it comes to the House the whole House would act upon the matter rather than the standing committee.

Searle: The reason you want to change from past action is from the political aspect that you would assume that should there be a real contest that someone would have to stand aside which then unbalances the structure of the House. I don't know what you base your paper on because it's very vague.

Irv: What assurance are you giving the people that the matter is going to come back to the House to be disposed of.

Searle: It will come to the Chief Clerk and then be disposed with. We can talk about it at some other time. We don't think it's very important at this time.

Casserly read from the statutes. "The vote upon the contest shall be vica voce. The Clerk or secretary shall enter the procedure in the Journal." All the language would suggest that the hearing is in the House and was wondering why it wouldn't be appropriate in the House.

Searle: In my tenure these have always gone to a committee. We're following the procedure set by history.

Irv: Are you also saying it would be a one vote advantage. Do you expect a one-vote advantage.

Searle: Your paper only says that it goes to the House. We're just debating.

Nelson: Aren't we pre-supposing that the court is going to come with very clear findings. Each caucus might interpret those findings differently. How are we going to have a mechanism on the floor to deal with that.

Irv: I think it's fair that we take this up very early.

Casserly: Everything has some merit. (Questioned No. 4) The House would follow the committee's final determination?

Searle: If one were found in great violation. If that man was not found in violation any more than the other one, how do we set up a mechanism to take care of it in an equal manner. It should be disposed of.

Casserly: The House would adopt the committee's recommendation?

Kostohryz: Would we be adopting the committee's report?

Searle: Yes.

L. Carlson: If the committee found something your position would be to accept the committee's findings -- then the House would accept the committee's findings.

Knickerbocker: Nos. 3 and 4 go together. How do you determine degree of guilt. Maybe the judge's decision will be such that there is no basis for blame, then the committee would take the findings and use it as a determination for the committee report.

Johnson: Could No. 4 -- could it say "ratify" or "reject". Does the House have to accept the committee's findings?

Casserly: Delete "regardless of" on line 1 of No. 3 and the words "those findings" on line 2 of No. 3.

Irv: I also find there is no real method or time restraint on the length of time the committee would have to act. No assurance on the part of the other members of the House that the matter would come back before them.

Searle: Should it go to a standing committee or to a select committee we agree with you we have to take the court's findings and go with that. Why don't you discuss it and come back with better language.

Knickerbocker: Over the last 20 years election contests were sent to committee. Standing committee or special committee on election contests.

Irv: Could consider an alternative method of using it. We will look at your paper and bring about revisions we think are necessary. We think an orderly process. Feel it is an urgent matter. We agreed at the last meeting that we would go through Tuesday's documents and see if there was any point that may call for further discussion. Let's skip committee organization and go on to Powers and Responsibilities of the Speaker.

Nelsen: What about conference committees.

Irv: We had proposed that conf. comm. would be composed of equal numbers of people. Could be a stalemate there. Doesn't want public opinion to come down hard on a conf. comm.

Searle: You aren't concerned with equal numbers on a subcommittee. Some subcommittees are the same size as conf. comm. We're so far we took your position. Whichever way it goes I will be satisfied.

Searle: Send all appointments to the Rules Committee rather than the Speaker.

Irv: In the 1973 session the Senate used their committee on committees. Towards the end of the session there is sometimes an urgency to create conf. committees.

Searle: Give powers as long as the 2 caucus leaders agree to it. Would have to have some consistency somewhere along the line.

Casserly: A little bit along the line of assignment of bills. Somewhat the system for the appointment of conference committees. Would want chief author of the bill. If chief author were I-R then I would be DFL and I would be IR.

Searle: Would be other consideration. Where the chief author did not wish to pursue authorship his party would have to retain handling the bill.

Casserly: That happens occasionally. Some person lets his bill be used as a vehicle for other legislation.

Searle: We can give it some thought.

Irv: Do you still feel strongly about even number on conference committees?

Searle: Maybe we could do something along the line of Casserly's suggestion.

Irv: If you were to go to the Rules Committee, how would you decide that.

Searle: Could have a subcommittee of Rules (evenly divided).

Casserly: It won't be very often that the 2 caucus leaders won't be able to agree.

Irv: If we could use the same vehicle on bill reference. Let the speaker make the determination and if there's objection, then we would go to Rules Committee.

Searle: Allow speaker to make the appointment and if there's objection then the assignment would go to Rules Committee. They have to be written motions where the speaker would speak with the floor leader or majority leader. Some thought before hand. I don't think its going to be a big hangup. Let's think about Jim's approach to it. That might be a possible solution.

Casserly: Why not have co-speakers.

Burdick: The statutes say that the House shall elect a speaker.

Searle: You can only have one person legally sign documents, warrants, etc.

Irv: What would happen if we accepted your position as set forth in your paper of Dec. 12 on conference committees.

Searle: We wouldn't fall over in a dead faint.

Casserly: It isn't unusual in business to go back to 2 signers of documents, etc.

Irv: Back to conference committees. (page 5, J, Dec. 12 paper IR)

Irv: Maybe we should go to a regularly-scheduled meeting for the Rules Committee. The only problem I had was how to go about cancelling a meeting of Rules Committee.

Searle: Just put a notice on the door.

Irv: How about a regular schedule and a 24-hour notice for a meeting.

Searle: Some kind of language.

Carlson, L: 24 hour notice unless a shorter time agreed on by the 2 caucus leaders.

Searle: We're trying to make it flexible enough.

Irv: 12 hours might be better.

Knickerbocker: After the first deadline for committee action?

Irv: You might want a rules committee meeting early in the session.

Searle: Rules Committee should be ~~xxxxxx~~ important enough to have a time of its own.

Irv: Regularly scheduled or upon the call of either caucus leader?

Searle: I think there's going to have to be trust but we can go back to the theory that only the 2 caucus leaders could cancel it.

Johnson: Making a mistake throwing in the hours. The Rules Committee ought to meet at 7:00 A.M.

L. Carlson: Set a time for Rules Committee. Any additional meetings upon the agreement of the 2 caucus leaders. Would eliminate concerns about trust between the 2 sides.

Irv: Regularly scheduled meeting with the right of either caucus leader to call a Rules Meeting at a time when there is no regularly scheduled standing committee or subcommittee meeting. Caucus leader ought to have the power to call a meeting when it does not conflict with a regular standing committee or subcommittee meeting. If the members of the Rules Committee do not have a conflict then they could call a meeting of the Rules Committee.

Knickerbocker: "the Rules Committee Chairman and opposing caucus leader"

Searle: We withdraw from our original position on the contract to go to the end of the session. Agree there has to be some kind of legal vehicle.

L. Carlson: We could deal with the interim in a separate statement.

Irv: We should think of other possibilities.

Johnson: Things will get done. I think when we set up the committee schedules we ought to think seriously of slotting a time for the Rules Committee. 7:00 every day.

Searle: Times when Irv or Searle have to be away from the Capitol.

Johnson: Slot in for 7 A.M.

Nelsen: Let's think about it and present a paper on schedule of Rules Committee.

Casserly: Reference of bills. (p. 5a) after "the speaker" add "with the consent of the caucus leaders". Groping around for a solution.

Searle: Members of Rules committee. 26 (IR) and 18 (DFL)

Irv: Let's split the difference (22). A smaller committee will get more done. Equal number from each caucus.

AGREED -- 22 members on the Rules Committee with an equal number from each caucus.

AGREED -- Rules Committee chairman or the opposing caucus leader shall have the power to place an item on the agenda. (write language).

FLOOR LEADER

Searle: Floor leader alternates weekly and then daily at the end of the session.

Irv: How long are we going to work on a given day. Willing to let the floor leader make the decision.

SEarle: Pressure could come better from 2 floor leaders. Amount of work isn't all that great. Doesn't take long to move that we adjourn or make announcements. Follow agenda from the Chief Clerk's desk.

Anderson: 2 floor leaders could get together.

Searle: Each caucus would be better served by its own leader.

Irv: Ought to consider one specific person as the floor leader.

Knickerbocker: What kind of authority does the floor leader have.

Irv: Motion to Adjourn. Motion to recess would be made by either one depending on who would want to recess. Motion that committee arise.

Searle: What about late in the session. In 1971 often times come off committee of the whole into debate on partisan issues where the floor leader could have some influence.

Irv: When you're split 67-67, you don't have an advantage. Make sure your people are on the floor.

I-R will discuss.

COMMITTEE STRUCTURE

Searle: Would you consider, in obtaining an organizational majority, that it would have to be done in a manner that the vote that would tip it would have to come from someone who is a member of the part for at least 2 years preceeding that?

Knickerbocker: An organizational majority would be achieved by the issuance of a new election certificate.

Searle: About the switching of parties. A person, if there has to be a switch, it should be done by the will of the people and not by a defector (such as in the Sherwood case).

Irv: I haven't thought about that possibility.

Searle: We have done a lot of thinking.

D. Carlson: Staffing -- What do you see in the way of staffing if there should be a 68-66 majority. It would be a disaster for the employees.

Searle: You would be disturbing the orderly procedure of the Legislature.

D. Carlson: Clerks, AA's, all of the rest of the staff. At some point, you may have to tell some people 'we can't use them'.

Casserly: What people are so politically sensitive that you feel you can't use them?

D. Carlson: Committee clerks, AA's, House Finance, Chief Clerk's Office, House Information.

Irv: The number of changes that would come about would be minimal. The question of staff isn't important. The question of organization is important. If one side receives a majority their responsibility is to the other.

D. Carlson: I wouldn't want to be an employee caught in this position.

Irv: I haven't thought too much about if someone wanted to make a switch.

COMMITTEE STRUCTURE:

Irv: Who's going to chair what? Most difficult question we have.

Searle: It's a tough question because it involves everyone in the House. Asking for you to come in and say if we can't agree, then where can we make compromises.

Irv: At the next meeting should we try to throw together another paper or just try to sit down and work it out.

Knickerbocker: Other than a few differences on either side, there's nothing more to talk about that what side gets which committees. How can we balance 3 pictures.

D. Carlson: Have you moved from your position of 12 chairmanships and Speakership?

Irv: No.

D. Carlson: We haven't moved from our parity.

Searle: Maybe what the 2 sides should do is try and figure out some mechanism to break

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the impasse. Where do we start to put the whole picture together--Speaker, Rules Committee and Committee System. We're willing to reevaluate and see if we can come up with any vehicle.

Knickerbocker: Importance of seniority system. How important is that to the kind of committees that you have.

Irv: Everyone has a certain amount of pride. Very difficult for a person to say "I will give up my committee".

Searle: We don't have that problem.

Knickerbocker: Maybe some accommodations that you might be able to make within your caucus.

Irv: There is a lot of prestige in a vice chairmanship if we structure the committee system properly. There may be an inch difference between the two. Why should the guy who has been up there have to come back down an inch. Whoever is selected as a chairman or vice chairman or chairman of a subcommittee is proud of the chairmanship.

Searle: If you're going from 22 to 52, the answer is NO. If you're going to use the subcommittee system as we resolved it the other day. You have said that the chairman shall select the subcommittee chairman ("We'll buy that").

Irv: I would like to see us determine the number to accommodate both caucuses to have an equal number of chairmanship regardless whether it's standing or subcommittee chairmanships.

Searle: There might be some special subject matter that comes up and you might have to create some additional subcommittees.

Irv: List of possible names for subcommittees. 2 and 3 subcommittees. Area of concern subcommittees might have. You could decide whether the agriculture committee would have looked at the jurisdiction of standing committees and came up with possibilities of subcommittees (28 chairmanships on each side without regard to weight).

B. Anderson: We never had names of subcommittees.

D. Carlson: You can't put a subcommittee chairmanship on par with standing committee chairmanships. Trying to be accommodating without personalities. Shouldn't tell a chairman what subcommittees he has to live with.

COPY FOR ROD SEARLE OF SUBCOMMITTEES AND COMMITTEES.

Irv: More worried about a smooth flowing session. Under the previous speaker, he created the committees and appointed the members.

Searle: Each caucus will determine the chairman and members. Can you come in with paper tomorrow?

Irv: No paper. Will meet on Friday, Dec. 15, 1978 at 10:30 A.M. Will react to your document on subcommittee matters.

NEGOTIATING SESSION NO. 10
December 15, 1978
10:30 A.M.

Searle chaired.

PRESENT:	Searle	Anderson
	Nelsen	Johnson
	Knickerbocker	Kostohryz
	B. Anderson	L. Carlson
		Casserly

Searle: Would take DFL working paper.

Irv: No ready to accept any kind of hard bargaining session. Would like the week-end to work on the proposals.

Searle: Will abide by Irv's request. Will not be able to meet on Monday. Will have to wait until Tues.

Irv: Explained reason not ready. Have not been able to put the proper words together as relates to election contests. Can't get the words right. We can talk about issues that have strong bearing on the out come of the negotiating session. Have paper for Rules Committee. Not ready for reaction to IR proposal. We can't accept or reject the proposal. Election contests to be part of the proposal. one avenue that we're not ready to react to. Wouldn't like hard bargaining session until next session. No objection to holding up until Tuesday. We can chat about Monday evening. Would be more fair to IR to let you know ahead of time. If you want to give us your position we would be happy to accept it.

Searle: Would have to go past the second deadline without definable progress. Will hold up. I think, however, that we shouldn't get bogged down on what would happen in one or two election contests. Should get back to the administration of a House equally divided. Start off in reacting to proposed subcommittees. Does not object with titled of subcommittees. Number of subcommittees on each committee would be up to the committee chairman as to numbers of members, etc. Take into consideration the number of committees and subcommittees and divide down the middle for equal responsibility.

Irv: Start discussion on method of how Rules Committee meetings will be held. (Read the DFL paper . Strike the word "next" in the last line of the proposal. If the House weren't meeting on a certain day you would have to give me opportunity to get to St. Paul.

Nelsen: Are you backing off your co-chairs.

Irv: It provides either way.

Searle: Still negotiable item.

Irv: Election contests. House ought to have the matter before it. House would receive all information and records and provide vehicle by which whole process would take place. Look at it as a hearing such as an impeachment.

Searle: You're going to act as judge and jury in a method that breaks precedent.

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Irv: Precedent has been broken before. You indicated that it should be sent to a standing or special committee.

Searle: I'm getting the impression from you that you have already made up your mind what the judge is going to say and what the findings are going to be and you want to use it as a political advantage.

Irv: Not at all.

B. Anderson: Witnesses can be called?

Irv: We did not provide a vehicle by which witnesses could be called.

B. Anderson: Presenters and exhibits?

Irv: Yes.

Casserly: They are not dramatic changes but little tiny ones.

Searle: Don't mean to upset your train of thought.

Casserly: No, you can't, when there isn't much there.

Knickerbocker: In the event the judge doesn't give a clear ruling we don't want to get carried away on the House floor. There isn't anything in the Rules as to how it should be done. Should be sure the rules are written so that it's done in an orderly fashion.

B. Anderson: Live bodies testify before one side or the other. That's the advantage of having it referred to a committee is having the bodies present to testify.

Irv: Helpful to talk.

Searle: Fair to assume that you are dragging your feet because of that court case.

Irv: That's not a fair statement. Why would we want to drag our feet?

Searle: It seems you put the political implications ahead of why we're supposed to be here.

Irv: Very interested in making certain that there has been free unbiased elections. I think it's unfair that there's any accusations of foot-dragging. We'd rather be open and honest with you people. We say we're not in a position for hard-bargaining today.

Searle: Set a time for a meeting early next week.

Irv: Do you agree with our paper on Rules Committee. (Indicated AGREEMENT -- badly worded)

Searle: Have felt there should be some time restraints. Would be willing to meet tomorrow.

Casserly: Maybe meet Monday night.

Searle: Can't meet on Monday -- LCMR.

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Irv: This is more important.

Searle: I'd have no objection to meeting Monday night. Can't be in on any sessions with our staff. Set it for 7:30 or 8:00 P.M.

Casserly: LCMR screening applicants for 3 positions on Monday at 4:30.

Irv: Meeting on Tuesday? Hiring people more important than these negotiations?

Searle: You'd better be there to safeguard your interests.

Irv: This is more important.

MEETING -- Monday, December 18, 1978 at 8:00 P.M.

Agenda: Election contests.

L. Carlson: Would your intention be to meet on Tuesday as well as Monday?

Tentative plans.

Searle: After certain date we won't meet until after Christmas. We should each come back with final time frame next week. Probably have to meet on Tuesday.

B. Anderson: We should settle day certain on day as to what we're going to do on January 3, 4 or 5. Set a day next for January 4 and a day to plan on what we're going to do on January 5. Should get down to Wednesday. Should start planning for January 3. After Wednesday, we should call the whole negotiating session off and then start planning for January 3.

Irv: Look at committee structure.

B. Anderson: We came prepared today.

Irv: Then put it on the table. We're not prepared.

Searle: It may be well for us to agree the hiatus you want to take for the Christmas Holidays.

Irv: All I'm asking is for the Holidays and the weekend off.

Searle: Work through Friday and come back on Tuesday?

Knickerbocker: Let's wait to see if we make any progress on Tuesday.

Irv: I'm not sitting at a table if someone sits here and says "if we don't reach agreement by Wednesday". If it were to come down so that the agreement were in jeopardy, then I would forgo my Holiday. If necessary we can work out the agreement on January 2. To forego negotiating now is premature in my mind.

Meeting ended at 11:20 A.M.

NEGOTIATING SESSION NO. 11, Dec. 18, 1978, 8:00 P.M., Room 15, State Capitol

Rep. Irv Anderson chaired the meeting.

PRESENT:

I. Anderson
J. Casserly
H. Sieben
C. Johnson
D. Kostohryz

R. Searle
J. Knickerbocker
B. Anderson
D. Carlson
B. Nelsen

Searle: Questioned the agenda.

Sieben: Both meetings I have attended I brought up that this is going to get more and more political as time goes on. Feels it is much easier to write the rules early.

Searle: Have you read the document? (on election contests)
You have been judge and jury already. #3 in the DFL paper. As far as we're concerned that is a secondary consideration. That should come after the House is put together and operating. The rest of us have been sitting around here trying to get something accomplished. All of a sudden all you want to talk about is election contests. That's not the way to solve problems before being sworn in.

Sieben: All of these issues should be decided promptly. Some of these issues are more political than others. Election contests are going to be the most political of any of the issues.

Carlson: You want us to solve a problem in the judicial branch. How about naming the committee chairmen. Just deciding who the chairmen are going to be. The court system is taking care of this problem?

Irv: How do you see this to work.

Carlson: The legislature shall be the final and determining factor. I'm voting NO on this thing here.

Searle: We came to talk about committee structure and subcommittees.

Casserly: The committee structure will fall into place. We are still talking about basic problems in election contests. I think that this still requires some discussion because I think it will fall in place with some discussion.

Searle: It would be so easy to talk about what we came here to discuss.

Sieben: What are your hard points. Sounds like you want the Speakership and the Tax Committee.

Searle: We feel we have to have 1/2 of the committees.

Irv: Was that your proposal you had last Friday. We have consistently thought the negotiations for the 28,000 people in one legislative district where there was an election contest brought. We want to assure those people that they have had the democratic right. Don't think having an office available is very important.

Searle: As of this date, those 28,000 people have elected a man. We're concerned about the rest of the 133,000 people.

Irv: There's a blight on one of the elections. We have to provide an orderly vehicle by which that is heard.

Carlson: There's not a vehicle already in the statutes?

Irv: Vehicle provided in MS 209.10. House shall hear the contest.

Searle: You want to set up a kangaroo court in the House. You don't want to send it to committee.

Irv: We only want to provide a vehicle where all members can hear the evidence. Some of the members have been reluctant to vote because they have not heard all the evidence on the floor of the House. In the past some people have refused to vote on the contest because they did not hear all the evidence on the floor of the House and were not a member of the committee. Rod Searle was the one who refused to vote because he did not hear all the evidence in committee.

Carlson: Statute is clear as to what it says. Person being involved is going to have to step aside.

Irv: In all good conscience is the assignment of an office organization. Is the assignment of an office that important. All you want to speak about is space, secretaries and staff. We didn't have offices when I came here.

Carlson: Now you're not even worried about Appropriations. Let's talk about committees.

Searle: We'll take your paper and come back with it.

Irv: We want the issue to come properly before the House.

Knickerbocker: We wanted it to come to a standing committee or select committee and then bring it to the floor of the House. At that point we're all still in agreement. We're not looking at a way to try and bury something in committee. The real concern that's been asked for is the question "_____". What happens if the judge says it's not material. Are you going to try to take that and twist it around. Are you going to try and use that to get an organizational majority. It has to be defined more clearly.

L. Carlson: Your proposal was that the House shall take the committee's recommendation

Casserly: We deleted the phrase "we shall accept the findings". It seems to me that you can re-word the issue.

Searle: Nothing more political as an election contest and this year where it could tip the balance one way or another. If Jerry and Tex can work out some language on this.

Irv: This provides a better vehicle than a committee. We / ^{would} not agree to anything more than a committee hearing and an automatic report back to the floor.

D. Carlson: This is no different than any piece of legislation.

B. Anderson: No witnesses or counsel on the House floor?

Irv: Right. They can be there but they can't speak.

Sieben: Moved that Knickerbocker and Casserly work out some language on this document and that it would be the first order of business for the next meeting.

Searle: Can assume that the 2 of them should get together.

Casserly: Sieben has a suggestion that may be worked out into language.

Searle: Fine with me.

Irv: First order of business tomorrow?

Searle: I think so. We'll agree on the agenda and stick by it.

Irv: You may object to the way the question is stated. How would you state it? You have to state the question in the manner it's put.

Carlson: Read 209.10. You're trying to block that person from having a fair committee hearing.

Sieben: First you look to the constitution and then to the law and then to custom but first you should look to what is right and fair. Your reading the statute didn't have anything to do with what we're talking about.

Casserly: Read the motion from the 1973 contest. The motion made here is the same as written in the DFL paper. The statute reads as though the hearing is on the House floor. Strange language in the statute if the intent is to send it to comm.

Irv: They haven't used the same set procedure in the past.

Knickerbocker: That's why it's very important that the rules we adopt make it very fair.

B. Anderson: Who offers the motion. The Speaker. The Secretary of State?

Sieben: If the timing is off I don't think we should be unorganizaed. We're contemplating that the Speaker will be in the chair and, if not, the Secretary of State.

Searle: Let the boys work it out.

Irv: Any other questions for the benefit of the boys. Time Schedule? Is that reasonable? 5 days on page 2 and 3 days on page 6.

Searle: Agrees on 5 days.

Irv: Any other questions. Proceed onto structure of the House. You will recall that last Thurs. we had indicated interest to know some of your hard points.

Friday's statement that you were ready to come forth with a strong proposal. We have been anxiously awaiting it all weekend.

Knickerbocker: Then have you had some opportunity to discuss among yourselves about a concrete proposal?

Irv: You folks said you were in a position on Friday of last week to bargain and perhaps you would like to indicate exactly where you're coming from.

Searle: Are you ready to accept. Are you in a position to react or respond.

Irv: We're in a position to react.

Searle: Can we straighten something out. You told your caucus one thing.....

Irv: Structure. We would designate the number of subcommittees on a given standing committee. The chairman with the advice and consent of the caucus leader who the chairman would be. We might have to have some subcommittee chairmen of the opposing political caucus as chairmen of the subcommittees.

Searle: You wanted to elevate the positions of subcommittee chairmen. If we take all of the standing committees and divisions (22) and more or less agree on the number of subcommittees (Gov. Op. and Local and Urban (4)) we would not think it fair for the DFL to have 14 standing committees and the IR have 7 standing.

Irv: We would try to have the standing committees split as reasonable as possible.

Sieben: Take into consideration the weight we gave some of these committees.

Searle: We wanted to be sure where you stood on subcommittees.

Irv: Any other questions?

Searle; No.

Irv: Right now I see 12-10.

Searle: Why don't you believe in 11-11.

Irv: If that's the basis of your offer, get it out on the table and let's look at it.

Nelsen: Are you proposing that we negotiate not only the standing committees but the subcommittees also.

Irv: Why not.

Searle: You would take those committees 12 or whatever and the subcommittees that go with them and we take the 9 and the subcommittees.

Irv: We would like to have the 12 and you 10. Get your proposal out so we can tell where you're coming from. You might end up with more subcommittees than the DFL. If you have a proposal, lay it out on the table.

Searle: We have one if you're willing to split the committees down the middle. Each would have 30 or whatever. Depends on which side gets Gov. Op or whatever. You keep on wanting to change the name of the game.

Searle: We're going to offer that we will give you (when we get around to it) first pick of any committee you want. Then the IR will pick 2 and the DFL will pick 2 and so on all the way down the line. We'll lay it on the table.

Irv: Does the speakership relate to the committees.

Searle: We're offering you the solution to 1/3 of the problem here tonight. If you want to bargain in good faith. Take 10 minutes of caucus to decide what we want.

Sieben: I don't think you can say I don't want to negotiate in good faith but why not put the speakership in it too.

Searle: Speakership is something entirely different. We're offering different. We're offering you right now to settle the committee problem. If you don't want to do it I don't know where we'll go from there. Do you want to do it or don't you want to do it. Take it or leave it. We don't think the speakership or the Rules Committee is a part of this offer. We think this is a way of getting off dead center.

Knickerbocker: We have to have a way of balancing out the committees.

Searle: Rules Committee is not a standing committee.

Knickerbocker: Rules Committee has to be a balancing power.

One of the problems I have observed is that we're dealing with a list of 22 committees plus speakership and rules. Many possibilities trying to trade back and forth. Nobody owns anything at this point. Committees are all in limbo at this point. Some chance to exercise priorities.

Casserty: Today I see a one-legged milk stool. It's hard to deal with just one of those legs.

Carlson,D: We spend how many sessions working on the duties of the speaker and rules committee. We realize they are very important. You have an opportunity to break a large impasse in the organization.

Sieben: I propose we throw the speakership in there also for choosing.

Searle: Until you get something you don't have anything to break the impasse. We're giving you the opportunity to say 'let's get that resolved'.

Johnson: We were closer than this before when we had our own little sheets we were handing out. We could start from something and work better. I don't think this is the way you go at it. Let's recess a little bit and work at it.

Irv: You made some statement that this is 1/3. What is the 2/3.

Searle: Speaker and Rules.

Irv: 1/3 committee, 1/3 speaker and 1/3 rules committee. Other questions such as subcommittee structure. Would you offer us first choice on speaker and rules Committee also.

Searle: You can't share the Speaker. Our proposal was that you can take first choice of committees and we would take 2 and 3.

Irv: The other day you said "piece-meal".

No. 11

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Searle: The day you said Appropriations Comm. We're giving you a bona fide offer tonight.

Irv: You don't consider the Rules Committee important.

Sieben: If this is such a good way, why don't we put all the power including the Speaker and Rules Comm. in this.

Searle: You're in a hard spot. Let's address ourselves to the committees.

Johnson: We're not talking about.... We don't know if they're going to be balanced or not.

Irv: One vote margin or not.

Searle: That can be negotiated. We would like to divide the committees in an equitable manner and then we could respond.

Irv: You don't think we're going at this piecemeal?

Searle: No, I don't think so.

Nelsen: All that hasn't been determined is our point is that rules is chaired by the party opposite the speaker, and you prefer co-chairs.

Kostohryz: How do you plan on solving the speakership.

Nelsen: One side could say we'll give 3 committees for the speakership.

D. Carlson: We have to divide these equally. How can you sit there and say that you're going to take 12 standing committees and us getting 10 standing committees.

Irv: You said you didn't understand my proposal. I think you understood my proposal.

Nelsen: What we didn't understand is this sudden turn around as far as chairmen of one caucus and subcommittee chairmen of another caucus.

D. Carlson: To weight it out becomes a problem.

Searle: If we get through this tomorrow we could wrap this up this week. We have been asking on how to break impasses. This is the first bone fide attempt to take care of the committee structure in toto. The only other offer was Mr. Anderson's offer on Approp. Comm.

Recess 9:20

10:00 -- Meeting called to order.

Irv: The DFL will make the following proposal based on the following criteria. The IR proposal we are rejecting. Felt that IR dealt with proposal in piecemeal fashion.

DFL -- Counterproposal

Irv: The DFL will make the following proposal. We are rejecting the IR proposal.

1. Committee members to be split evenly on standing committees and subcommittees.
2. Chairmanship and vice chairmanship will be of the same caucus.
3. There would be 2 subcommittees per committee with provision that you could go to the Rules Committee for more subcommittees.
4. Subcommittee chairmen of the same party as the chairman.
5. Write a rule into existing agreement that a majority vote on committee would put a bill on the agenda.
6. Willing to concede that the floor leader would be of the opposite political faith of the Speaker.
7. Duration of the agreement. When either side produces a 68 vote, they must assume the responsibility of organizing the House (not necessary to reorganize).
8. DFL Speaker
9. Will agree that there will be a position known as Speaker Pro Tem (I-R).
10. Committee Structure:

DFL	I-R
1. Appropriations Div. of Semi-State Div. of State Depts.	1. Div. of Health, Welfare & Corr. (Approp.) Div. of Education (Approp.)
2. Education Div. of State Aids	2. Agriculture
3. Env. & Natural Resources	3. Criminal Justice
4. Financial Inst. & Ins.	4. Comm., Econ. Dev. & Housing
5. Genl. Legis. & Vets. Affairs	5. Division of Higher Education
6. Governmental Operations	6. Energy and Utilities
7. Health & Welfare	7. Judiciary

DFL

I-R

- | | |
|-------------------------------|-------------------|
| 8. Labor/Management Relations | 8. Transportation |
| 9. Local & Urban Affairs | 9. Taxes |
| 10. Rules & Legis. Admin. | |

11. DFL position on election contests would be upheld.

Searle: Your counteroffer is patently unfair. Agrees that the speakership is the most political. We'll continue to put on the table what we gave you an hour ago. We will concede on the even number of members on every committee. Let's let the Speaker be elected on the opening day. Rules Committee chairman should be chaired by the caucus opposite the Speaker. You want your position on election contests. You still haven't gotten the message that you're no longer the majority chairman around here. We would reject, out of hand, your 11 point program you responded with to our proposal.

Irv: If you are going to charge us with up-handedness then we'll charge you with the same.

Searle: We take the speakership out of negotiations and say we'll vote on the first day of the session. Read Joan Growe's letter (Joan intends to be present on Jan. 3 -- She believes a majority of the House members present may elect a Speaker and will preside until a speaker is elected.) All either side needs is a majority.

Irv: What we are trying to do is resolve the differences between the two sides. What we'll do is vote and vote and vote. Our hard position is speakership.

B. Anderson: A hard position with you is the speakership. It's not hard with us. We played flip-flop on this before.

Searle: Supposing someone takes a walk and doesn't show up. What if somebody doesn't show up.

Irv: The person who receives the majority organizes the House.

D. Carlson: Is this a fair document you're offering us. You want 13-10 -- you want speakership and you want Rules.

Irv: We're here to negotiate in good faith. If you have something to say, you're recognized.

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D. Carlson: If you make the statement that we are going to try and block this thing on the first day. We gave you first choice on the committees.

Searle: You weren't ready to take what you call a fair split on the committees.

Sieben: It's ridiculous to sit here and negotiate without the speakership.

B. Anderson: The best way is to rotate selection of the committees. It's the only fair way.

Johnson: Do you like this any better than anything else we have offered. Have you kept track of what we have offered. Do you only count. Do you go by committee names. What would you like to change on this sheet then.

B. Anderson: Put IR where DFL is.

Johnson: Let's talk about moving things.

Searle: Why can't you come up with one where you give us the first choice?

Johnson: The difference is that we think there still should be a speaker. Everyone of our proposals has referred to a speaker. What is it you like on our side here. Don't you want to do business our way or what is wrong here.

Nelsen: We will start trading here on committees one on one.

Irv: We asked you last Thursday to give us some indication where you would move and where you wouldn't move.

Searle: You wanted to talk about elections today.

Johnson: Point No. 6 and 9 give you (under our plan) the Speaker Pro Tem and floor leader. Don't you like that.

Searle: No. The Speaker Pro Tem acts in the chair when the speaker is absent.

Johnson: How do you weight Taxes then.

Searle: Same as Education, Gov. Op. Split it down the middle. We are not going to play the game of speaker and rules committee and 13 to 10 on committees.

Irv: Isn't it only a matter of interpretation.

Sieben: Would you throw all the pieces in a pile including the speaker and the Rules Committee.

Cassery: Why are we wasting time determining who should have what committees. No one has ever discussed doing committees without doing the total picture.

Irv: We're trying to find out what you want.

Searle: We want the same number of committees.

Irv: Irv read a piece that the House will not be organized (Senator Aschbach).

D. Carlson: He's been seeing and hearing what you are proposing and we couldn't live with your proposal.

Irv: What are we going to do.

Nelsen: Election of speaker. We're not endorsing that as an absolute way to go. We want equal number of committees. Our hard line is equity.

Irv: What we're offering you is 22 committee chairmanship. If you feel you have a majority then go ahead and organize.

Searle: We have been going on the assumption that there's a tie. Put all the pices in the hat and give us first choice and we'll go from that.

Irv: We're not moving from the spot of Speaker.

Searle: We're not moving from it either.

Irv: Shall we take a couple of days' breather. Maybe a little time might make us reflect. Come back and maybe settle the matter. Maybe take a week off and come back after Christmas. Maybe you know something I don't know.

B. Anderson: We have laid everything on the table.

Irv: If you have the vote then tell us.

B. Anderson: Both sides claiming speaker.

Searle: We weren't talking speaker tonight only committees. I would guarantee you if you had taken first choice tonight, on our proposal everything would have fallen in place. Agenda for next meeting?

Irv: Agenda before us.

Searle: Negotiate everything together?

Irv: Have to negotiate everything together.

Searle: 11-11 committees all the way.

Irv: You gave us forst shot at the Tax Committee. How do you propose to resolve the questions of speaker and rules committee.

Searle: You have decided the strength to come to the Speaker. Someone will give us "X" number of committees for the Speakership.

Irv: You want us to buy the Speakership.

B. Anderson: You're buying it.

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Irv: You didn't say that we had to buy the speakership with X number of committees.

Searle: You're stalling.

Johnson: If that's the way it's going to go. Why go through the auction. Let's use any other list.

Searle: Just to show you how fair we are tonight we'll pick first for the committees. After we get the committees we resolve the other things. We'll come in with a full-blown plan tomorrow.

Irv: We want to know everything.

Searle: OK we're coming back tomorrow with a proposal.

Irv: Let's wait a couple of day. Let's wait until Friday.

Searle: Dentist appt. on Friday. You don't want to hear our proposal tomorrow?

Irv: Thursday?

Searle: If you don't want to accept it tomorrow.

Irv: Is it going to be worth coming back for?

Searle: What do you propose for an agenda? Continuation of tonights list. Meet late Wed. morning.

Irv: 2:00 P.M. Thursday afternoon.

NEGOTIATING SESSION NO. 12
2:00 P.M., Room 15, State Capitol

PRESENT:

I. Anderson	R. Searle
C. Johnson	B. Nelsen
D. Kostohryz	B. Anderson
J. Casserly	J. Knickerbocker
L. Carlson	

Rod Searle chaired the meeting.

Searle: What we have attempted to do here today is review what happened last night in your failure to accept a method of breaking the impasse on committee structure and in your challenge to us to come back with the big picture - the whole thing and tell us where our hard spots are. This what we are doing today. You can either read it or I can read it. All those on our Dec. 12 papers that we have agreed upon set those aside. Contract should be valid for the '79 portion of the legislative session except if it remains divided it would remain that way through the 2-year period or if either caucus gets a majority the contract would terminate. If something happened and one obtained a majority by 30 days before the end of the session only the speaker and chairman of the Rules Committee would change. All committees would be equal. Majority of committee members may force action on legislation. Still suggest that workers compensation stay with Gov. Op and should have 2 subcommittees per committee. Suggesting breakdown of standing committees (Ex. A.) Second proposal (Ex. B)

Irv: I don't understand 2c of your proposal.

Searle: This was your language.

Irv: 2b then.

Searle: If we have a tie going into the last 30 days. All we're saying if there is a chance in the last 30 day--period the only change would be in speaker and chairman of rules. We're trying to keep the continuation of House work in an orderly manner. We have to agree that if there had to be a re-organization somewhere along the line....if it came before the 30-day deadline.

Kostohryz: I don't understand 3c. Why should it go to Rules Committee.

Irv: I don't understand what this extra wording in here is. Both b and c.

L. Carlson: b and c seem to contradict themselves.

Searle: I see you point and we can eliminate c. STRIKE C.

Irv: If a majority could come before the end of the session, if in their wisdom they saw fit to change a chairman then its their responsibility. They are the majority group of the House. No agreement would be valid at any point where one side or the other got the majority. If something were bogged down in some committee and we got the majority, I wouldn't hesitate to change that chairman so that the business of the House could get on with. No. 4. I think we ought to discuss it.

Knickerbocker: Put an item on the agenda.

Irv: I don't want it to mean that a vote has to be taken on the bill. You want a vehicle whereby a bill would get a hearing on a bill in committee.

Searle: A majority of members can force a hearing on a bill. We are not trying to say every bill has to pass out and go on the floor of the House. Only those bills that can get a majority.

Kostohryz: Your wording says that a vote has to be taken. Our original language says that the thing is to get a bill before the committee.

Searle: Against a chairman's wishes a bill can be brought before his committee for hearing. If it passes or fails, willing to change the language in no. 4. We'll REWRITE THAT.

Irv: What if there are 5 motions made on 5 different bills and as a result hearings have to be held on 5 different bills within a committee's jurisdiction. Committee has possession. Only 2 weeks of the session left. How would we accommodate the wishes.

Searle: By changing the rules. We always change the rules on motions and resolutions. The same could apply here. This is for the main part of the session. The last 2 or 3 weeks the types of things are the ones that die on General Orders anyway.

Irv: Until the last month of the session?

Searle: Not that broad. Some sort of modification for the last part of the session when we cut off House bills coming from committee. We might not even need the rules. All the people on the committees are going to be good.

Irv: I think we ought to think about it.

Casserly: Don't have it apply the last 3 or 4 weeks of the session.

Irv: No. 9 previously agreed upon.

Searle: STRIKE NO. 9.

Knickerbocker: How about NCSL

Irv: Speaker appoints.

Casserly: You should design a catch-all.

Searle: Can't find anywhere where there's a method of appointment to NCSL.

Discussion regarding NCSL.

Irv: We could put it in as a separate item or whatever you want.

Searle: Including Minnesota representation to NCSL.

Irv: Question on No. 12

Searle: The weight you have given to a floor leader is a lot more important than it should be. We came out originally that there would be 2 floor leaders. We're saying that floor motions should be handled by one caucus or the other.

No. 12

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Irv: Is there something there that we don't see.

Searle: No. One of your problems is that you don't know how to deal with honesty. We gave you first pick and you don't take it.

Irv: Where is No. 13

Casserly: It's coming.

Irv: I think we ought to wait for No. 13 to come. Recess until it comes.

Knickerbocker: Jim and I worked up some language and we have to make sure that what we put together is right.

Irv: Numbers on the committees.

Casserly: Approp. should probably have - don't have to have same number on each division.

Searle: Are you saying that it should be a full Division -- Semi-State.

Casserly: The people who serve on it normally serve on other Divisions. Before we clean up. You could easily have 12, 12 and 10. Not significant.

Irv: What do you mean by this second paper here?

Searle: We've explained it twice and we'll try again.

Irv: We have been asking you your hard priorities. Now we're beginning to believe. Tell me once more about your second paper.

Searle: We anticipated you would reject out of hand the committee chairing on the first document. So we listed all the committees and you take either column.

Irv: Either one?

Searle: That's what we're suggesting.

RECESS

Searle called the meeting back to order at 4:20 P.M.

Irv: The DFL has some problem with the election contests going to committee. We would urge that we adjourn today. Come back Thursday A.M. and DFL would be in a position to respond to IR's proposals of today.

Searle: Let's make it 11:00 A.M., Thursday.

Meeting adjourned.

NEGOTIATING SESSION No. 13, Dec. 21, 1978, 11:00 A.M., Room 15, State Capitol

PRESENT:	I. Anderson	R. Searle
	L. Carlson	D. Carlson
	D. Kostohryz	J. Knickerbocker
	C. Johnson	B. Anderson
	J. Casserly	B. Nelsen

Irv Anderson chaired the meeting.

ELECTION CONTESTS: Irv presented a DFL paper (Ex. A)

Irv: Reconsider our position on election contests. Worked on paper of Dec. 18. We have reconsidered the paper and can't find no compelling reason why that issue has to go to a committee, as we read the constitution and the statutes. We say that the House shall consider the matter. The paper back today is the same as December 18. This process will provide both sides to present their cases before the full House. We would request your consideration of the matter.

Bob: Number 1. The term "presiding officer" -- who is that? Is that the newly elected Speaker or the Secretary of State?

Irv: I do not envision the Sec. of State being that person.

Bob: The speaker?

Irv: Yes.

Bob: 5 legislative days from the receipt of the materials.

Irv: Sometimes the court has been forced to delay the materials.

Discussion over time from judicial decision.

Irv: Would have to be brought in after the swearing in of the new members.

Bob: Everyone will be sworn prior to putting the question?

Irv: Yes.

Searle: The House has to be organized before the question can be put. Not taking the route you are insisting on and anticipating what might happen if there is a ruling that is going to need debate in the House and you want it on the House floor. What we have there technically is you've got little old me against any one of your experienced attorneys as presentors. We have no one of that legal maturity or experience. It does put us at a distinct disadvantage if you're going to hold a sort of court proceeding. I'm not about to take a crash course in law. That is one of the reasons we feel it should go to a committee that could be balanced with legal people or non-legal people. We have just one hearing on the House floor. Someone has to be prepared to go cold. If you have someone in a committee. We would be working with the attorneys in a committee. That you can't do on the House floor. From the way this document is worded no one who is not a member could present the material on the House floor. You're placing our caucus at a disadvantage coming directly to the floor. Five new people coming in who are attorneys. I would want them to have some background. They know nothing about legislative protocol.

L. Carlson: Opening up the process by having a committee hear that? You're placing all the other members of the House at a disadvantage if they are not members of that committee. Members felt uncomfortable because they had not heard the evidence in the committee.

Bob: The system operates on a committee basis around here. Never heard anyone around here asking to be excused because he hadn't heard the evidence in committee.

Kostohryz: The committee is hearing bills. Feel strongly about the committee system. When it comes to the House floor it's in a good position to be voted upon.

Searle: I think you can say we need such a document included in our negotiations. Want a chance to review it with our legal people. Let's see if we can't look at this and come back next week. A chance to study it. Perhaps with some ideas. If that's agreeable. This has changed drastically since the treaty of Casserly and Knickerbocker. I don't think we should be critical of those gentlemen who put time working on the document. I think we should defer this until later when we have had a chance to study this.

Irv: You have to go back and check the statute and constitution and study. Even though they have used the committee procedure previously that system may not have been proper. Decision to be made by the House. The House is not a court of law. Neither one of us are lawyers. Don't expect great moves of parliamentary procedure. You are as adept at making your points of view as we are. I believe both sides will have ample legal help. Paragraph d in the statute says viva voce. Fair and open manner in which the process can be used. Have to consider that neither side has a majority. This is different. It is mentioned in the constitution so it is more important. This is a fair method. We think, when you have all the facts before you, you will agree that this is the procedure that should be used.

Jerry: The legislature, in terms of drafting legislation, has got to use the constitution as a guide. You should have to agree that the constitution is correct if there is a conflict between statutes and the constitution. I have always figured that there was a pretty good reason for referring those matters to a standing committee or select committee. The legislature didn't want to take up the members' time on the House floor. I don't quite understand where we failed in what Jim and I tried to put together. We provided that after all the matters were heard, then a report would be made to the House floor. The committee system was always used because it was used to accomplish an orderly system. We provided a certain number of days for reporting from committee. Our concern is to make sure that we don't have a disorganized serious atmosphere on the House floor for legislation and political maneuvering.

Kostohryz: I wasn't here. It was always my understanding that those meetings were always closed.

Searle: No. Rules Committee was the only one.

Bob: Are there statutes that you're using that we don't have.

Irv: We're using the constitution and statutes.

Bob: 209.10 and Article 4 of the Constitution? Since we don't have an attorney, would you agree that your presenter would not be an attorney?

Irv: Are we going to pre-empt the right of a legislator to present his case on the House floor?

Bob: Would you consider a lay person?

Irv: We might agree but we aren't going to preempt the right of a legislator to present.

Carl: When we get the findings I don't think we can snaffu the Republicans simple because we have an attorney on our side. I think you are over-emphasizing that issue (hopes the judge will write the findings so that everyone can understand them).

Bob: Would you like to be the presenter? Who do you suppose is going to win?

D. Carlson: I'm surprised that you're saying you're rejecting this paper. Hasn't every case been referred to someone for study. Are you sitting and trying to be so above board when you say that the one person we know cannot be a voting person all of a sudden the votes shift. That has nothing to do whether it should go to a committee to be worked on.

Irv: There were a number of reasons I felt that there was something wrong with the document. You asked whether you would have the right to use Henry Savelkoul and we said there would be no objection. You have chosen not to use him. I can't understand why now why all you raise the issue of an attorney. This is even more important than an election contest. You have not seen fit to use the services of an attorney we had agreed to.

Bob: Doesn't an attorney have an advantage.

Irv: Only in the court of law.

Bob: Wouldn't the attorney be better able to understand it than a lay person.

Irv: You would have the right to have counsel and he would explain it.

Bob: I don't have the right to call witnesses.

Irv: No.

Bob: We could call a witness in and ask him to explain it.

Irv: Why can't we take the findings from the court where the witnesses had every chance.

Bob: Everyone is going to think of questions about the material.

Irv: You would have the right to seek counsel to answer your questions.

Bob: We don't have the right to call the witnesses themselves. Remember the long debates we had on the House floor. There were still questions that had to be answered.

Irv: I remember how articulate the IR members are on the House floor. Your argument that you will be in a disadvantage by not having an attorney is not valid.

Searle: I believe the statute says the House must make the final determination. Which means that technically if you're going to prevent all of the members of the House from hearing the testimony then they are being deprived. You're depriving House members from making a full determination. I think I have matured since 1957 when I was asked for my reason for not voting. If you're going to hang your case on that, that is wrong.

Lyn Carlson: There are many new legislators coming in in that position who could use that same argument as used in 1957.

Searle: We want a chance to look at the language and we will react.

Lyn: I think the point will not be inexperience in the law. The experience you need will be the people in your caucus. They can help the presenter.

Dick: Would more witnesses be called than used in a court.

Searle: It would give both caucuses an opportunity to hear all witnesses. I don't visualize they would call any more than in the court system.

Irv: I haven't been too pleased about the committee system in the past. We're better off if we let the whole House decide.

Bruce: Item c, 209.10 -- the evidence shall be presented first. How is that done. Who does it. What is considered evidence. I'm looking for an explanation. Only that forwarded by the court.

Irv: It would be presented by your caucus or whoever your presenter is.

Bruce: The 2 parties in the contest would take the floor?

Irv: No. The members of the House only. I don't question the right of anyone who has an election certificate to be seated.

Searle: Your interpretation is that neither one would be able to speak in his behalf.

Irv: He could answer the question but not the unelected person.

Searle: We want to think about this a little bit.

Dick: Wouldn't the same thing happen on the House floor as in the committee.

Searle: Only 2% telling the story on the House floor. You want to take the findings of the court and run with them. You're letting the court make that determination. What I am saying is that we're back to your original basics.

Irv: You're objecting to using the court's findings.

Searle: You're not too far from your original proposal.

Carl: We think: why does it go to the court at all. Why did they decide it should go to the court at all. I don't know why they monkey with it.

Bob: Jim, in a trial there are rules of evidence. Supposing a motion were placed on the House floor that they would follow the rules of evidence.

Irv: Paper on Committee Structure (Ex. B)

AGREED ON 1, 2 & 6

Irv: If you have enough votes to organize, then go ahead.

Searle: Impossible task for any speaker if he has only 67 votes. Speaker can't do anything.

Irv: If people don't recognize this matter as being serious they don't understand how serious this matter is.

Searle: It touches the lives of all the people in the State of Minnesota.

Irv: The majority would have the responsibility of organizing the House.

Searle: If it would turn around later then it would switch. It takes 68 for the passage of a bill.

Irv: I don't have 68 and you don't have 68. If either one of us is speaker we can't assure passage of a bill.

Searle: We have 67 each. We feel very strongly that in order to upset the contract (if negotiated) it would take an organizational majority of 68. You have some interesting switches here. We want a chance to look at them. Little by little it's coming into place. Sitting by the fire over the weekend will help to mellow this. We're not going to react to this this morning. We want to chew it a little bit.

Doug: If I'm counting right we are still at 12-10.

Irv: You're still able to count.

Doug: What a Christmas goose.

Searle: At this point neither one of us has anything and we think we are entitled to half of everything. What we should do not is decide when we want to meet next week when we have had a chance to go over this.

Next meeting, Wednesday, Dec. 27, 7:00 P.M.

Agenda: 2 papers at 12th meeting. Will present a paper to IR. Will not present anything on election contests. If we were to throw out the election contests item would that be acceptable.

Searle: We have to study this.

NEGOTIATING SESSION NO. 14
Dec. 27, 1978
7:00 P.M.
Room 15, State Capitol

Rep. Searle chaired the meeting.

Searle: The initial part of the program is supposed to be a presentation from the DFL negotiators in response to the I-R's suggestions of last week.

Irv: We do have a paper ready to present. It comes after a great deal of thought and consideration.

Paper passed to committee.

Irv read the entire paper to the negotiating team.

Irv: The paper comes with a great deal of thought as to what areas there should be compromise. The DFL would have 11 chairmanships and the I-R would have 12 chairmanships. This paper equally divides the strength and power of the House of Representatives.

Searle: We've had a chance to go through as you read it. It's enticing. I recognize some delicate changes which have to be taken in all seriousness. Still some things not reconciled. Perhaps further honing will be needed. Don't know if it would be quite fair to react in completeness to the whole 7 pages. It's something we should be able to come back here with a give you some final refinements that we feel might make it a little bit better and comment on your document with some changes that are significant. Not sure without having a chance to bat it around whether we feel it is completely within the toning range of parity. Would request privilege of responding after due consideration. Anyone else have any further suggestions or questions.

Bruce: Define majority.

Irv: Joan Growe said that her definition was that if either side gets a majority of the vote. To Searle: Do you wish to consider further.

Searle: I would like to be able to sit down and analyze some of the changes and weigh them as against the complete document.

Irv: Would you expect to be able to do that tonight and be able to respond?

Searle: It might take a while.

Irv: This was not drafted in 15 minutes. Very difficult move for us. This proposal places all of the obligation to spend the state's money. All the IR candidates had concern for spending. You ought to assume the responsibility. (Read an article from Gil Esau's paper). The DFL offers complete control of the spending committee. You have an obligation to fulfill the responsibility of assuming the chairmanship of this committee (Appropriations). Serious proposal before you. We are at the bottom of the barrel. 11-12 in the IR favor. You're playing the same game. The article in today's paper was in error. At a loss as to where to turn next. You should take this proposal and run with it. Take it back to your caucus and ask for their consideration. The DFL has had a caucus during this period of negotiating. Let your caucus see and act on this proposal.

Searle: Can appreciate the time you spent putting this together. Don't want to respond to you in 15 minutes. We're at a parity with Claims back in there. Our caucus is more

interested in knowing whether they are going to have a place to operate at all. You're doing a great disservice to members of both caucuses by not having a committee schedule set up. You're the one that doesn't want to get the organization done before the 3rd. The 5 of us must decide. We can either caucus or recess and come back when we have had a chance to study it.

Irv: "Old Claims" was your proposal at the beginning.

Searle: As you discarded them we have discarded them also. We have to have a chance to study this.

Irv: A place to operate! I know that before you can find a place to operate you have to know what you're operating with. How can we ever expect to find a place for people to reside. You're trying to put the cart before the horse. This document has to be done with before we can make any agreement on space or staff. Once again, let me tell you to take this back to your caucus and let them act on this.

Doug: You've come to party at last -- number-wise. Concerned about leadership. You're requesting both Speakership and floor leader. Isn't there a little imbalance in that.

Irv: Your paper said that the floor leader isn't important and so if it wasn't, we'll take it.

Doug: The Speakership and Rules Committee. Would you agree to flip-flop?

Irv: No, we wouldn't.

Searle: We got hopeful after that election last week. We certainly ran on taxes.

Irv: We ran on taxes but not spending.

RECESS (45 minutes)

Searle: (going through DFL paper) Organizational Majority 67 or 66 majority in the House. It doesn't stand to reason. It takes 68 to unseat a Speaker. It should take as many votes to elect a Speaker as to unseat a Speaker. Can think of times during the session where it may be possible where the speaker were in disfavor. Could upset a speakership. This is an area to look at very carefully. No. 4 -- What agenda should be for the first day. What will be the orders of motions, etc., on the first day. Some things we have agreed on previously should be stated in the contract and all documents presented. Need time to review and look through the documents on points we have agreed to previously. 10-12 with Speakership and balance off with the Rules Committee. Might be well on the opening day we suggested that we get Joan Growe to meet with us. She should come and answer questions. Would like to make a request that Joan Growe come in to our next meeting.

Irv: We're not requesting it. You're making a sham out of the negotiations. "The DFL is unfair with a 10-12 split". Call me when you want the next meeting. Read the newspaper article on state spending. Piece used consistently throughout the state. You wanted to check state spending and taxes.

Sharle: First time you have come in and said 11-11. Let's bargain in good faith.

Irv: When you're ready to negotiate, call me.

Searle: You said this took a great amount of time. I am disappointed that you're going to walk out. We still feel we have made concessions. There are unanswered questions here.

Sieben: Why do you want Gov. Op and not Appropriations.

Searle: We have come in, we feel, you have the right to preserve the chairmanships of those coming back in your caucus. It's fair. We're not getting greedy. Approp. -- We do not have the experience to run the Approp. Committee.

Sieben: Who has the vast experience in Taxes.

Searle: Taxes has no incumbent chairman.

Irv: You have said 'We have no great experience in Approp'. Where is your experience in the field of Taxes. You're using that as a criteria about giving us Approp. The DFL has the more senior members on the Tax Committee. If we're going to have a Tax Committee we would have a couple of members who could chair that. (Eken, Johnson, Brinkman.

Searle: I would just as not deal in personalities.

Irv: You asked for names.

Searle: Trying to protect your caucus members who are coming back and trying to protect them.

Sieben: Why do you want to give up Education Div. of Approp and the chairmanship of Approp.

Searle: We have no objection to serving underchairmen from your caucus who have served admirably.

Harry: How is this going to get resolved.

Jerry: Have to put some weight on the type of committees the other caucus has.

Searle: Staffs should go over all the papers on these two areas.

D. Carlson: Is a co-speakership not possible by law. This whole thing could fall in place if we could agree to a rotating speakership. Co-chairmen of Rules Committee. Can't we take a look at it from a constitutional standpoint.

Irv: We're willing to meet with you on Jan. 3.

Searle: Might be well for member of each staff to get together and put together whatever is in disagreement. What we would like to do is go through our papers and put together the entire picture.

Irv: Agreeable to meeting on Jan. 2.

Searle: Answer back tomorrow - tomorrow night or Friday. Before the end of the week. Friday morning. Both sides are adamant about who should have the speakership. Maybe that will have to go on the floor on the third. Parts of negotiations can be signed, sealed and delivered. Committee structure should have been settled before speakership and rules committee.

Kostohryz: 12-10 split now and you want speakership also.

Searle: You might be willing to negotiate on the speakership.

Kostohryz: I am wondering where you are coming from. You said that you came up with your proposal from our proposal.

Casserly: What advantage is it to you in to settle this. Is it advantageous that we don't resolve this so that you can have people standing outside saying "let me in".

Searle: No. not me.

Casserly: Our position has gotten a good deal more realistic. You seem to want to take more time. It seems like there's a very slight subtle change here.

Searle: We have nothing to gain by delaying it. Within the last 5 days it has really come down to really who will have the speakership.

Johnson: Are we kind of giving up on resolving that.

Searle: It seems to be not negotiable. Apparently that's not negotiable.

Johnson: What is the next choice as you see it. Don't we have to resolve it. I hope we can get that down this week and that neither of us gets the feeling that we ought to quit at this point and we ought to be concerned about the 3rd or the 4th. I hope we keep struggling with it.

Searle: I've never spent New Year's in the Capitol. Some suggestions as to how we can resolve this?

Johnson: Some more talking. I don't have the answer.

Doug: How many committees is the speakership worth? You wanted the 2 plus the Speakership and the Rules Committee also.

Searle: Willing to meet tomorrow evening.

Next meeting -- Friday, December 29, 1978, 10:30 A.M.

NEGOTIATING SESSION NO. 15
December 29, 1978
10:30 A.M., Rm. 15, Capitol

Irv Anderson chaired.

Irv: The agenda continues from Dec. 27 meeting. I-R was to come forth with a proposal to the DFL proposal.

Searle: We're not going to read it word for word. We tried to bring together in one document all of the portions. Very few changes. Believe organizational majority should be 68 votes. Committee structure complexion of agreements made over the past weeks. Made a change in No. 8, members and chairmen will be chosen by the caucuses. 14 for the DFL and 8 for the IR. We have accepted your offer of taking all of the state spending. We have asked for Taxes also. What this would do is give you 14 to our 8 plus 24 subcommittees to our 6. We have backed off considerably. Important that the IR caucus have the Speakership. Willing to relinquish some of the parity we have talked about. Dispensation of the Rules Committee -- will come back to that later. Rules chaired by DFL. For the change in the number of committees, we insist that the Speakership shall be in the hands of the IR caucus. Has to be some kind of a transition term. You have experienced people to do these types of things. You have 1/2 a speaker and we have 1/2 a speaker. To be fair to the people in the House and the people in the state. If we don't make plans for organization we have to know where the document is going to fit into the realm of things. (Here Searle was talking about the 1st and 2nd days of session).

Irv: We'll do it Tuesday. It will be warm on Tuesday.

Searle: By these types of delaying tactics you're denying duly elected members to take their official position next week. It's going to make it very difficult for them. The things they're entitled to.

Irv: They have to be in the House chamber at noon.

Searle: 5 minutes after that they should have a place to hang their hats and a place to park. They should have the same experience the rest of us have had.

Irv: They ought to have the same experience I have had. I didn't have a desk or a parking place or a secretary and I still did my job.

Searle: Members of the caucus feel they're entitled to that.

Irv: It doesn't have to be done today. Can be done in an orderly manner.

Searle: I think this is still important. We brought this up 2 weeks ago. Let's see how we're going to operate on the first day of session.

Irv: I will read it at my leisure.

Sieben: Would it address the election contest.

Searle: No. We're trying to put everything here together in one document.

No. 15

p. 2

Irv: Is the election contest negotiable.

Searle: That's out of our hands. It's in the judicial system.

Harry: Fairness doctrine. Is this an either or. In the past proposal you have made you were very proud of saying "if you don't like this we'll flip-flop". I'm inquiring as to whether or not the fairness doctrine is incorporated into this proposal.

Searle: Several times we have offered the either or and it was not taken up. The first time it was done one of your own members did it. We feel that that approach hasn't worked. We would consider it but it's not an inherent part.

Irv: There's no sense in talking about this today.

Searle: Any suggestions or comments on the first section.

Irv: Why the length of the agreement. Was it to confuse us.

Searle: Not to confuse you. It's a matter of getting the 2 towers built and finished off. Everything into one document so we could work off one document. We have come in with one document showing these are the items.

Irv: Committee assignments. I commend you for finally recognizing that you have a responsibility for spending. You still have not fully accepted that responsibility. School Aids Division was still not accepted by the IR.

Searle: All of Education should be kept together. With the way in which the committee makeup is the real authority on school aids. The major work is going to be done in the subcommittee but it is still going to be handled through the Education Committee. In order to keep the 2 together we have said "fine". I think it would be ludicrous for us to take all of Appropriations, Taxes and Education. We are trying to be accomodating.

Irv: Do you agree that the 2 committees have more power. You think you ought to give the chief author of a bill the power to appoint one of the conference committee members.

Searle: We shouldn't make it mandatory that the chief author be on the conference committee. On page 3 if you total up what we have offered here, we're giving you a total of 38 chairs to 14. What is your pleasure as far as our offer is concerned.

Irv: I go back. You folks raised the issue of the number of chairmanships you felt you were entitled to. The desire to have a great number of chairmanships was your desire.

Searle: Never more than 1/2.

Irv: We will caucus on this thing. There's little hope that this will be the document that we will settle on.

Searle: The number of committee chairmanships is not a negotiable item.[?]

Irv: Everything is negotiable.

Searle: We feel that it is important enough for our caucus to have the speakership to offer you that many committees.

Irv: Let the press and the people know that it was the IR caucus that would buy the speakership. I think this is a great injustice to this negotiating table to have to buy something. We are not asking to buy something. We are asking to negotiate.

Sieben: Break for lunch and come back after lunch and respond then.

Searle: Have to be gone from 3 - 4.

Sieben: Meet at 1:30.

Doug: Concerned you just feel that this proposal is so far off base.
to have

Irv: We are going to have/a great deal of time to analyze this document.

Sieben: It's clear it's off base.

RECESS UNTIL 1:30 P.M.

2:00 P.M.

Irv: DFL apologizes for being late. Had intense discussions which relates to the IR proposal of today as to where we might proceed. We do not agree with the IR paper of this morning and so for this afternoon's session we would like to refer to the DFL proposal dated Dec. 27. Paper offered on that date fair and was an attempt on the part of the DFL provided an equal distribution of the powers. Still reasonable and fair proposal for acceptance on the part of both parties. Still seeking a method of settling this matter. p. 5 DFL member would be the speaker. IR member would be speaker pro temp. Offer this as a further concession and will serve as to a way to reach agreement.

Searle: Rather disappointed. Interesting and one that we would be glad to take under advisement. We felt that there's an obligation on your side of the table to at least react or respond to the generous and most gracious changes we have made which you are totally ignoring. In our talking about someone -- speaker pro temp, floor leader with some type of duties. You're not responding to what we gave you this morning regarding the number of committees, subcommittees. If you are going to respond or not respond to the offer we made this morning. The change in our thinking with the change in committee structure at least deserves a serious answer and it will tell us whether you are negotiating in good faith in all of the responsibilities of the House. This isn't going to unlock any new doors as far as leading to a happy solution.

Irv: Are you saying that the paper you gave this morning responded to our paper of Dec. 27.

Searle: We spent some time putting this all together today and you don't even want to talk about it.

Irv: We could have fancied this up by retyping and incorporating some of the other things. We think that the document we gave you on Dec. 27 was fair. We have further compromised that document by inserting this new language.

Searle: If we change the names and titles -- is that fair.

Irv: I don't know what you mean.

Searle: Changing names on each page. In order to break the deadlock this morning we had to bite the bullet. We had to say there had to be some areas of compromise. We're willing to forego some of the important chairmanships and willing to relinquish some of that. We're getting no response to that. We would be giving you 38-14 in total chairmen and subcommittee chairmen as opposed to your first offer where it was a dead even split.

Carl: Where to start. Seems to me we have reached an impasse judging by the way you behave and we behave. Any merit to having a position such as you suggested. Does that solve some of the problems between the 2 caucuses when we offer floor leader, speaker pro temp and Rules Committee Chairman counter the position of Speaker. Can't both have speaker. It's kind of interesting but we hated to make another move for fear you wouldn't end up with any committee chairmen. We started feeling sorry for you. I don't know what the public says whether you have the position of speaker or what.

Searle: Speaker Pro Temp can't be floor leader at the same time if he has to be in the speaker's chair.

Irv: Couldn't the Speaker Pro Temp designate a floor leader.

Searle: On the surface, I don't know that it makes that much a difference.

Bruce: Giving responsibilities to individuals within a caucus. 3 different responsibilities that the caucus may not agree with.

Irv: Do you want to change the word "shall" to "may".

Searle: The answer to your question 'can this break the deadlock' the answer is 'no'. This paper doesn't really address itself to answering the tough question of the power structure between the speakership and of the committees and how they will be chaired and the Rules Committee. Committee structure was first. You came back and said we can't talk about that unless we talk about the speakership and the rules committee.

Irv: We have given you the answer.

Jerry: You don't think the speakership is worth anything extra to the caucus that has it.

Irv: We have told you that we felt very strongly about retaining the speakership. At that time you did not indicate that same desire to us. Your side, by various individuals, has said we have completely depleted the powers of the speaker and the powerful rules committee. It became apparent to us that the 2 positions were equal as far as power and authority were concerned. We felt strongly that we should have the speakership and since you thought the rules committee was so powerful that you should have the rules committee.

Doug: We bent over backwards as far as committee structure.

Irv: Listening to what you were saying I became of the opinion that it was more advantageous to have the rules committee than the speakership. Our proposal involves the speakership. The first major concession was by the DFL and that was the Committee on Appropriations.

Jerry: If we had the speakership what would you feel you would have to have in order to balance.

Irv: We feel very strongly that we have to have the speakership.

Searle: You're saying it's non-negotiable.

Irv: You're saying it.

Searle: We have offered 14 major committees which would take care of your long-termers. The speakership would be balanced off that way. Flip-flop.

Irv: I think you folks ought to have the Committee of Appropriations.

Searle: We have one day left. Take it. The speakership is on the table.

Irv: We have a proposal here that gives us the speakership. You just don't want to recognize it.

Searle: How much I am disappointed in the fact that we have been trying to work with you. Memo dated today that was sent to your employees and not to our employees. There was an article in the paper about a week about about the lack of compassion of Al Quie. Who's going to have charge of security, who's going to open the door. What's wrong with negotiating here today.

Irv: I was concerned about my employees. What you have told your people is up to you to decide. We told everyone.

Searle: We were concerned very early on. When we asked early on how you were going to make the transition you said this was the lowest priority.

Irv: The document we gave you on Dec. 27 was a fair one and ought to be accepted.

Bob: We felt the same way about the one we offered today.

Irv: Apparently we're deadlocked here. I've indicated to you that you should have Appropriations.

Searle: Let's start from there. If you don't like this. Let's get into hard negotiations. We have offered you something so good that you don't want to talk about it. You haven't even talked about the committee structure.

Irv: We're willing to meet tomorrow if you wish. Or Sunday, or Monday.

Bob: Let's take it right to the floor.

Irv: Agree to go to the floor for Speakership and whoever wins that vote wins it all. Lets throw it to the floor (simple majority), then assume the responsibility of organizing the House.

Bob: 68 votes.

Irv: No, simple majority.

Searle: Joan Growe said a simple majority would elect a speaker.

Bob: First day's agenda. Can we talk about that.

Irv: The chairman has ruled that out of order.

Bob: Can't we talk about this. This document mentions committees, committee structure.

Irv: Let's recognize that we have a stale-mate and go to the House floor for the election of the Speaker.

Searle: We will give this to you either way. You are not willing to say to us as Mr. Knickerbocker asked if the speakership is negotiable, you really haven't answered that question. What do you have to have in order to give up the speakership.

Irv: We don't want to give up the speakership. We will accomodate that by offsetting so many more committees. With the speakership given why don't you draw up a package that is reasonable.

Searle: You have said consistently that it's not negotiable. We have given the first olive branch.

Irv: This proposal is unacceptable. If it is not acceptable then it cannot be used as a vehicle. This document is imminently more fair than yours and should be used.

Searle: That's not fair.

Irv: Both documents on the table in front of us.

Doug: Are you willing to change it around. We offer you to take it.

Irv: Are you willing to accept the responsibilities of allocating the state's monies.

Searle: On our latest proposal we have given you the speakership.

Irv: (talking about school aids and Approp.)

Searle: School aids bill goes through the Tax Committee

Dick: School aids doesn't go to Taxes, it goes to Appropriations.

Searle: Most people look at it as being done in the Tax Committee.

Dick: Appropriations, School Aids and Taxes and we'd have the speakership?

Searle: That's it.

Sieben: Speakership and Tax Committee. What if we started from that?

Searle: If you want to come back with a proposal, why don't you do that?

Searle: We are receptive to any combination that will settle this.

Irv: This afternoon or tomorrow morning.

AGREED ON 7:00 P.M. tonight.

7:15 P.M.

Called back to order.

(Conversation between Irv and Searle. Irv: Simple majority of those voting in the House. Joan Growe's interpretation.)

Irv: As we left this afternoon, it was my understanding that the DFL would make a new evaluation based upon the conversations held this afternoon so we have been very busy. The proposal that we laid on the table this afternoon is hereby withdrawn. December 27 paper to be used for tonight's discussion (DFL paper). No. 3 from the I-R document is made page 2 of the DFL Dec. 27 document. IR-8 committees; DFL-14 committees. The basis by which we come to this conclusion whereby you're willing to flip-flop, we have a hang-up with the chairing of the Committee of Approp. What our proposal is that you ought to chair Approp. Giving Approp. and the Committee of Taxes to the IR. Most of the spending responsibility. You have indicated a strong desire to chair the committee that would determine what tax relief would be necessary. Our DFL document calls for a DFL speaker and the IR chair the committee of Rules. Speakership, Rules, Taxes, Appropriations. With those 4, the IR would have control of 3 of the 4. We have to say that the DFL has gone a long way to settling the difficulties between the 2 parties, by giving up the 2 big committees. If this proposal were acceptable, we would ask for one seat on the LAC. Since you would chair both important committees, we would abolish Rule 1.10 for the duration of the agreement.

Bruce: What you're saying here -- this page is the same as we gave you except for what is noted.

Irv: You will note we took your page on committee structure and made changes. Speakership to DFL, Rules to IR, omit Rule 1.10. Giving the Rules Chairman all 1.10 legislation.

Doug: Floor leader to DFL.

Irv: Yes, that's what the words of this proposal read.

Searle: In response to your offer here, I think we're getting closer. I've got a warm feeling. I would like you to answer a question. Is the speakership negotiable. You have never yet conceded it's a negotiable item.

Irv: I have told you many, many times that everything we have before us is negotiable and that included the speakership.

Searle: We would be glad to caucus on this for a few minutes and have a chance to review it. Have to go back and check on the rest of the stuff that's in your document. We are willing to offer more than 1/2. You do not seem to enjoy that same thinking. If my calculations are correct, you want the speakership; you want 14 of the major committees and divisions which would give you 24 subcommittees which gives you a total of 38. It would give us a total of 8 committees and the Rules Committee. Assuming that there's a closer relationship than that, there's at least got to be

parity on the committees with this type of arrangement. We would like the time to go over this is you would allow us that. Coming back in 1/2 hour.

Irv: Take a break, caucus and discuss the proposal thoroughly. The Speakership gave you 3 of the most 4 important positions in the House of Reps. We gave you Approp., Taxes and Rules.

Searle: Again, the speakership and the control he has over that body. Is there anything here that you can see that you would give up the speakership or negotiate for the speakership.

Irv: We told you from the beginning that the speaker was a hard spot.

Searle: Until you can give us a resonable answer to that question, it's become pretty one-sided.

Sieben: Why don't you talk this over and react to it.

RECESS.

Searle: We have had an opportunity to look over your offer. In one way, it's very difficult because you have told us of one hard spot you have and it's speakership and it's difficult for us to come back. We thought we'd paint a picture in order to give you something to think about in order to break this impasse because, up to this point we're saying that should we relinquish our 1/2 claim to the speakership these are things we feel would have to be considered in saying the importance of that position, these are our hard lines. 14 committees; 8 from this morning. We would have to have a 1-vote majority on Rules. Should have a rotation of floor leaders. Rule 1.10 should be left intact. There should be a joint appointment of conference committees by speaker and Rules. Acceptance of Casserly-Knickerbocker's election contests should be in effect. Document should be in effect for duration of session. Other than that, there would be an acceptance of our Dec. 29 document as presented this morning. If we had to give up the speakership this would mean that this proposal would be withdrawn.

Sieben: Your proposal includes those 3 committees.

Searle: Yes. I thought you might like to caucus.

Irv: WE appreciate the information you gave us tonight and are willing to meet with you at any time.

Sieben: No acceptable.

SEarle: When you get ready to tell us what the speakership is worth, then we'll talk. That the problem with you fellows -- none of you have sat on Approp.

Carl: Most of our trouble has come from the people who talk.

Irv: Do you want to meet tomorrow?

Searle: If you have some kind of a response to give.

Irv: We have given you our answer.

Searle: You have not come anywhere near on parity. That's what we have been.

No. 15

p. 9

Irv: Let's at least agree that we meet on Tuesday at noon to work out the details of the opening day.

Searle: That's fine. We made an appointment with the SEcretary of State in the ATtorney General's office for that afternoon of that day.

Meet at 11:00 A.M., Tuesday.

Irv: Our proposal of tonight and Dec. 27 is withdrawn. We will meet at any time you wish.

Negotiations
Meeting No. 16
January 2, 1979
11:00 A.M., Rm. 15, Capitol

Members Present:

Patton
Sieben
Anderson, I.
Casserly
Johnson

Carlson, D.
Knickerbocker
Searle
Anderson, B.
Nelsen, B.

Rep. Searle chaired the meeting.

Searle: Last week we agreed to meet this morning to agree on an agenda for the opening day and the state-of-the-state message on Thursday. The IR caucus met with the Secretary of State and the Attorney General and have gone over some of the things that would come up on Wednesday and Thursday. I'll turn this over to the DFL.

Anderson, I: Announcement of Dick Kostohryz's heart attack. As of last evening, his condition was serious but stable. No report yet this morning. We expect to receive further report from the doctors office on his condition. We would urge and hope that the IR caucus would consider delaying the election of a Speaker until next Monday. We also request, as in the past we have indicated that we get down to negotiating to resolve our differences (maybe even this afternoon) and would like a response. I notified Mr. Searle last evening of Mr. Kostohryz heart attack.

Searle: I appreciate the fact that you did call me. This changes the complexion of what we have been debating for the last month. We certainly are not going to jump on this opportunity. We would not jump on this occasion with hob nail boots. When we would postpone the election of the speaker to, I think I would want to wait and have an updating on the medical condition. We can't go too long without organizing the House. It might be a month. Presumptuous to be basing it on something we don't know at this point. Perhaps we should at least look and see how far we go tomorrow; what we will do tomorrow and Thursday. Can't meet this afternoon. Having a meeting this afternoon. Could meet on Thursday evening or on Friday at the soonest. As quickly as we can do it. We understand the situation you are in. Will try to work out the accomodation.

Discussion of first day of session. Faricy -- Clerk Pro Temp. Larry Bothwell -- Sergeant at Arms Pro Temp. Wally Strand -- Sergeant at ARms Pro Temp. Secretary of State turns over gavel to the President of the Senate (Gearty). Discussion on first day of session followed.

Searle: Want to wait on medical report of Kostohryz (thinking about a meeting on Friday).

Anderson, I: In the past, the precedence has been to adjourn on Thursday until the following Monday.

Meeting Adjourned.

NEGOTIATING SESSION NO. 17

January 3, 1979, 3:00 P.M., Rm. 123, Capitol

MEMBERS PRESENT:

Anderson, I.
Patton
Casserly
Sieben
Johnson, C.

Searle
Nelsen, B.
Knickerbocker
Anderson, R.
Carlson

Rep. Irv Anderson presided.

Anderson: Once again we will try to resolve the differences between the two groups for purposes of organization of the House. Neither side has indicated a willingness When we last met we discussed about the other side making a proposal and no requirement that either side do so. We have a proposal for your consideration today that we are hopeful will set the agreement between the 2 parties (read document).

Appropriations, Taxes, Rules (1-vote majority on Rules -- Rules 1.10 left intact -- joint appointment of coordinating commission by Speaker and Rules Committee Chairman -- acceptance of Casserly-Knickerbocker document

Anderson read Jan. 3 paper of DFL. Rules Committee chairman is entitled to his appointments being read into the Journal of the Day. Provides for an I-R Speaker. Your statement required that there be 14 committees on the IR side if you were to give up the speakership. We maintain only 12 committees moving from 14-8 to 12-10. In addition, your statement of that date would have required that what I consider the 'big four' -- Speaker, Rules, Taxes and Appropriations under the guidelines you set forth -- it would have been necessary for you to have control of 3 of the 4. IR -- Speakership and Appropriations; DFL -- Rules and Taxes. We have followed the guidelines you have set forth for the one vote edge you have set on Rules. Can't see the value in rotating floor leader. Don't think it is necessary to rotate. Request that the DFL be permitted floor leader position. Rules 1.10 would remain intact. Joint appointment of coordinating commission. Question of election contests -- hasn't been brought up today. Ought to give consideration that it be brought before the House and not sent to a standing or select committee. We're not dealing with that question today. Agreeable to the election of a Speaker. Would be good as long as there are 68 votes in favor of him.

Searle: Before we respond. 2 things I would like to request consideration of if you can provide them. We asked last time whether it would be possible for you to give us an official medical report on Rep. Kostohryz.

Anderson, I: Condition is satisfactory and stable. Expected that he will have to remain in the hospital for 10 to 14 days from Monday, January 1.

Searle: It may be a little difficult to respond point by point because of what we have to do here. Only fair to say the change in approach is much more generous than we have seen before. It's true what you read earlier on the transcript. Hypothetical case "should say". It was withdrawn as was your's at the same time that day. I guess the question that I want to ask at this point would be if we exchange sides on the table at this point, would this offer be accepted by your side? What would be your reaction?

Anderson, I: Are you asking us if we would flip-flop the offer?

Searle: Not necessarily. It's the first time you have considered relinquishing your 1/2 of the speakership. There were 2 events: one unfortunate and one very happy for our side (election contest -- Pavlak). Entirely different atmosphere. We were sincere about the hypothetical case. Trying to break the stalemate. Back to that magic number of 12-10 again. Only thing that we can say to respond in full is either to take a recess and come back and respond. Going to find some things objectionable. Recess for 1/2 hour to 45 minutes. Want to talk to my negotiators.

Anderson, I: Anyone who has such a proposal placed before them would have to caucus. Had to negotiate from a standpoint of 67-67. Had to provide a vehicle for the election contest to come before the House. After meeting of Dec. 29 as I traveled home, I had the benefit of thinking about your proposal -- maybe that's the way out of this situation. On New Year's Eve my staff was called to research what, if any, powers we had negotiated within the speakership had to be changed if we went along with your proposal. Words you have spoken were listened to. Committee chairmanships had to be divided equally. We have listened to what you have said here and I think it is a reasonable method by which we can settle the differences that exist. We are divided 67-67. We have to compromise. Hope that we are not forced into a position that we would have to bring someone in on a sick bed. I will not be placed in that situation. The proposal we have laid before you is fair and reasonable and answers all the requirements you laid before us on December 29.

Knickerbocker: Number 9 on your paper. The special select committees that you're referring to -- like the Committee on Energy?

Anderson, I: Yes. I don't expect to object to the creation of a legitimate committee such as Energy. Energy Committee was a temporary committee.

Searle: Would this include a temporary select committee?

Anderson, I: I don't know what you really mean by "temporary".

Searle: Temporary committees appointed to handle election contests.

Knickerbocker: You could have a circumstance where a select committee could study something like energy or like the power line controversy for a short time which would go out of business after a very short time.

Carlson, D: At this point in time I would question your total sincerity -- about the election contest. Take it today? or are they negotiable items in here?

Sieben: Why don't you consider it before you turn it down?

Nelsen, B: Number on committees.

Searle: We have to decide. Inform the Secretary of State of time and day we adjourn the House tomorrow. We thought maybe Friday would be a more fitting time to meet. Perhaps we ought to make some agreement.

Sieben: Would you take advantage of Kostohryz's absence and try to elect a Speaker?

Searle: You shouldn't confuse me. It's a possibility, Mr. Sieben, that it's going to take a long time to get the machinery moving -- committee scheduling moving, etc. From that standpoint, should any action be taken on Friday, should there be a Speaker elected and the other orders of business that follow, it would then give that person

and his steering committee Saturday and Sunday to get things going for Monday.

Anderson, I: How about Wednesday?

Searle: They are going to start sending messages, etc. within a week (the Senate). Joan Grove has said you can organize with a simple majority.

Anderson, I: I would never impose the 67 vote we would hold if an IR member was temporarily out of commission or unable to attend a House session. I said it at this table and to the press. We would never impose our will upon the IR when an IR member is unable to attend a House session.

Searle: What I want is a definition of "temporarily". Are we going to have a Friday meeting or a Monday meeting?

Johnson: So far you've reviewed our document. I'm here serious about sitting here. Let's get down to business here.

Casserly: Separate people from the thoughts. Certainly would be appreciated for you to look at this and give us a response.

Searle: What is a reasonable length of time? This would be more important. I don't know how long this would take us.

Anderson, I: As long a time as you want.

Searle: When we're ready to get back and talk, we'll call you.

5:40 P.M. Called back to order.

Anderson, I: IR caucus has a proposal.

Searle: We listened to words of the bargaining table. We have busted a gusset trying to get this rough draft to you this afternoon. What we would like to do tonight, because of commitments and because some of us are closer to the 2 men who are being honored at the banquet tonight, we're going to suggest that we put the date of Monday on tomorrow's agenda. We would like to suggest that the 10 of us stay here this week-end until we have a negotiated settlement. One thing I'd like to have -- I am going to ask Doug Carlson to give you an assumption. We didn't see the document or the actual statement from the doctor. We have talked to a cardiologist. Doug Carlson is a professional and is to give us a scenario on the usual time schedule on the type of problem Kostohryz has. Doug is a veterinary doctor. Might be interesting at this point.

Carlson, D: I didn't ask for this assignment. Realistically, we're concerned. Medically speaking, it would take a miracle for him to come back -- hopeful for a recovery. As a veterinarian, I have some experience along this line. It will not happen that it will be Monday, Wednesday or Friday. These types of patients are kept in the coronary care unit for about 5 days. From that point, they go to critical care unit. If everything is still normal, he will start to sit up and start walking. This is a minor attack. Rehabilitation area to see what happens. 2-3 weeks on any kind of a moderate attack. Very outside chance that we won't see him for 4-6 weeks or 6-8 weeks.

Anderson, I: Thank you. Representative Kostohryz will leave coronary care tomorrow.

Searle: We would like to leave this with you and give you as much time as you want to digest it. Set a time for tomorrow morning to meet and hopefully start drawing up negotiated papers.

Discussion of IR proposal for Jan. 3.

Anderson, I: The statement you made on Dec. 29 I took it as a very serious statement. I thought it indicated the value you placed on the speakership. I thought that it was an in-depth statement and had come to a conclusion after much study and had envisioned it not so much a political statement but one realistically. A solution to the differences that exist between us. Difficult for me to really believe that you folks are at a mind that we are still at a 67-67 position. We're still evenly tied. If you have, in the past approached this table with a firm desire that you want to be fair and reasonable then I can only conclude that the statement you issued on Dec. 29 was an effort to resolve the differences between us and that it was a fair and reasonable offer. We are not unwilling to resolve the differences between us. We will make every effort possible to resolve the differences but, at this point, the differences that exist between your side and our side are immense.

Searle: In regard to the quotation from the 29th, we had a caucus last night. It was the first time our people were together. They really wanted to come up and see if there really was going to be rooms available, parking and a session. Maybe I am beginning to find myself in a position of -- we have a group of our legislators -- are saying go -- grab it and run. You have the 67 votes -- go ahead and do it. I have said 'no, we are still bargaining in good faith with an 11-11 split and the pressure is on our caucus to go two different ways to the point of walking over there tonight. Others said "no". Out of courtesy to the health problem, we will offer to meet on Monday. You have given this about 5 minutes of perusal and you should have staff go through this whole thing and I think you should look at the entire picture. As I said earlier, we will be willing to meet whatever time you want to meet tomorrow morning or tomorrow afternoon and continue to bargain or if we have to stay until Friday, we will be willing to do that also. Staff should go through the entire thing.

Anderson, I: A number of changes within the document. Those changes may be hidden -- can't believe in the short time you had to prepare this.

Searle: We can go back and pull out and make a comparison of who has been doing what. No sense playing games and we could run those steps through. We are suggesting that you look at this in depth and we will be glad to meet you in the morning.

Anderson, I: We're most agreeable to meeting with you in the morning. I would like to get into some discussion about the comments of some of your members to "grab the whole thing and run".

Searle: Older hands are prevailing. We should negotiate.

Anderson, I: Your document is based on that type of background. The House is split 67-67. One of ours is obstructed from coming to the session. Paper isn't fair. Doesn't divide the House in an equal manner. Gives the IR caucus the edge.

Searle: We are responding to the fact that the House must get on with the business.

Anderson, I: We could if we both realized that we are evenly split at 67-67, When last you made this proposal which was not as fair as the one we laid on the table today. Most interesting to me that you continue to charge that the DFL is unwilling to compromise. We will meet you at 10:00 A.M. tomorrow morning.

Finis

NEGOTIATING SESSION No. 18
Jan. 4, 1979, Rm. 123, Capitol

MEMBERS PRESENT:

Rep. Searle chaired.

Searle: The IR caucus put together a rough draft copy -- much of what we had agreed together with some changes and changes in committee makeup. Much negotiable material. Chance to study before this morning's meeting. I imagine there has been a lot of material in it. Getting to that point where, hopefully, we will be able to say we have done it.

Anderson, I: I agree that we have reached the point where we should reach an agreement and will do everything possible that we can do to reach that end. Our time has been so limited. What we're here for today is to set the time for when we can meet again and information. Ask some questions so we can understand each others positions.

Searle: If there's not enough time to digest but I understand and there are time constraints especially with all the other things that are happening. Can we agree that we will adjourn until 2:00 P.M. Monday?

Anderson, I: Agree.

Searle: We will defer any definite action until Monday. Irv will make the motion to adjourn until Monday, January 8 at 2 P.M. What time tomorrow?

Anderson, I: Most ready, willing and able to sit here through the weekend and work on the details. 10 A.M. tomorrow morning. If we are a few minutes late, please excuse us. Can we get into your document?

I, A, "through the issuance of a new election certificate"
p. 2, No. 8, OK
Chairman of Rules making interim appointments -- check on Rules
Committee wording (Dec. 27th).

Don't think the IR document is clear. Doesn't follow present intent. Statute implies Chairman of Rules appoints IV (Item A) p. 14, paragraph C.

Searle: Any other comments of the other negotiators.

Patton: Would like to see a conclusion come.

Searle: Both of us have expressed ourselves for a deadline of tomorrow on this thing.

Adjourned until 10:00 A.M. Friday.

NEGOTIATING SESSION NO. 19
January 5, 1979, Rm. 123, Capitol
10:00 A.M.

MEMBERS PRESENT:

Nelsen, B.
Anderson, B.
Searle
Knickerbocker
Carlson, D.

Patton, A.
Sieben
Anderson, I.
Johnson
Casserly

Rep. Anderson, I. chaired.

Anderson, I: Attempting to resolve the differences which exist between the two sides. Most willing to negotiate at any time throughout the weekend. We stand ready and willing to negotiate into the next week if that is what it takes. Want to negotiate the differences that exist. Think it's in our best interests to reach a negotiated agreement. I don't think either of us gain by attempting to resolve differences on the House floor. In an attempt to resolve the differences, the DFL has prepared a paper. Hopeful that it will be the paper that leads us to a resolution of the differences that exist between us. Irv Anderson read the DFL paper of January 5, 1979. Indicates where we're coming from. As we stated in our opening paragraph, the DFL strongly feels there was a mandate laid down by the people from the Nov. 7 election. There is no real advantage held by either side. Once you have reached that conclusion -- a firm and strong desire to resolve the differences -- I think that you make every effort in your mind and heart to come forth with a position that is acceptable to the other side. Last night members of our negotiating committee sat for 2 hours attempting to find a solution for this stalemate. Believe the proposal is fair and equitable to both sides. Had the advantage of the staff finding out what the powers are of Rules Committee Chairman as compared with the powers of the Speaker. Slight advantage to the Speaker. Comes about because he is far more visible than the Rules Committee chairman. Have overcome the small advantage by point No. 2. Strong desire to chair committee of Taxes (not Appropriations) resolves the primary and major divisions between us. Urge your strong consideration of this package. Think it's fair to both sides. IR can have first choice of the 2 under the DFL proposal.

Searle: Let me paint a little different picture. First paper you have presented and I think its the first time you have indicated that you even accept the mandate of the voters. We said early on what we thought the voters had said to the IR and we haven't agreed on that. We have a firm and strong desire as do you to conclude this. Bargaining so there is a parity and get along with the organizing of the House (mentioned Freshmen). I would like to remind you that it has only been within the last week that your negotiating team has used what we have been using right straight from the beginning and that is not a definition of parity. Your first offer was 13-9 committees plus speaker and rules. 12-10 speaker and rules (when court case was hanging). We have maintained from the start that we have half of everything and half of nothing. After weeks of trying to convince you that there should be a majority of one on every committee we finally said we would go to your position of having all committees on an equal basis. About 2 weeks ago you said you better go back and talk to your caucus and I have done that. We had a caucus this week and they made it very strong as to what the negotiators on this side should stand for. Because of the mandate that we have was given and handed at a caucus earlier that the even split on committee is a non-negotiable fact at this time, including Rules. I think I would agree with you that the main stumbling blocks are Speaker, Rules, Taxes and Appropriations. We have consistently said there are

other committees that can be weighted very close. Agree with Point III. Consistently said it should be 11-11. Have never deviated from that position. We're still a little concerned about IV. Still hold the caucuse gives the instructions. 2 - would be able to accept your figures. 3.-- no hang-up - OK. 4 -- irritates me. 5 -- OK. V -- OK. We are not going to buy what I would consider the shoe sales approach. We have indicated, since your more reasonable approach of last week, that the speakership belongs with the IR. Willing to accomodate you with the Rules Committee and chairmanship of that committee. We could accept the chairmanship of Appropriations. One thing we have tried to do is save those committees for you in which you have veteran chairmen and also that you have the expertise and experience in those committees. I think what I would do is to, having said that, I have a couple of alternatives that perhaps you may want to chew on a little bit. This would be our alternative to your paper. We would offer you the chairmanship of Appropriations. We would like for the IR to have the committee chairmanship of Taxes but we will offer, as one way of trying to break this impasse, offer that there will be 2 divisions of Taxes and that they will be chaired by the DFL. We will agree with you on the 11-11 split on committees. We have already said we will not buy the Rules Committee with a one-vote majority. We will also break down and offer you the floor leader and back away from the stand that floor leader should rotate. This is our counteroffer. We are willing to meet tomorrow or Sunday to try and resolve what little there is left to negotiate.

IR Speakership, Tax Committee (2 divisions of Taxes to be chaired by DFL)

DFL Rules Committee, Appropriations (2 divisions of Taxes), Floor Leader

We have met our obligations of attempting to resolve our differences. Dec. 29 paper gave you a reasonable compromise. Nothing real in the differences between speaker and one-vote advantage on Rules Committee. Let's go forward today with a firm resolve that we can resolve the differences between us. There is equality between us.

Sieben: Getting tired of hearing speeches. I don't care what happened on Nov. 7 or Dec. 27.

Searle: My caucus has said "no deal". After last week, there's been a change in the DFL. I'm talking about the unfortunate position of one of your members. Somebody has got to get this House organized. Going to take 2 to 3 weeks to get the machinery going. One side takes the initiative.

C. Johnson: I feel like Harry feels. I thought it was a couple of shoes that don't fit. I do have a message nevertheless. It's really disgusting to sit here and wonder who are the nice guys. You say that you are and we say that we are and then we admit that maybe we weren't once. That really doesn't solve a thing. It's kind of nice to know that we have both been on both sides of the issue. The problem is that we are only 67-67 and we may make ----- on whether we have power. We ought to look over what each has done this morning.

Patton: We are willing to accept either one of our positions here.

Searle: It puts you at an advantage.

Patton: If we can't resolve our intent here today where do we go as a legislative body who are representing the 4 million people in the state. It will come to rest on all of us. We have a responsibility as individuals. Let's not forget why we are here and how we got here.

Casserly: Would all the bills that come to taxes have to go to the 2 divisions?

Searle: It would be up to the chairman. I would say that they would have to go to one or the other. I can't answer that because I have never sat on Taxes. We would give you those 2 without asking for one in return. It would be 13-11 in your favor. Has a nice sound.

Casserly: With Taxes, it's harder to divide. If you see another way to do this.

Searle: I was talking about the chairmanship of Appropriations -- does not include all 4 divisions.

Anderson, I: What you are proposing here is that one position, either accept it, negotiate

DFL desires a caucus.

Sieben: Put everything on the table. Flip a coin. Winner takes first choice and so on down the line.

Patton: Do you think it would be fair to have the administrative powers of the House divided equally?

Searle: Yes, but how you view it only -- your definition or our definition or how you weight it.

Patton: Then define the responsibilities of the Rules Committee and the speakership.

Searle: Maybe we have to go back to the beginning. One point holding this whole thing up. Hard point we were against. That's the one-vote majority on Rules Committee.

Patton: Resolve differences between speakership and rules. Balance or imbalance. Trying to conclude this situation today. We'll be here until May. Determine what the administrative powers are.

Anderson, I: Read the powers of the Rules Committee. The earliest possible time the House can go into operation is by a negotiated document.

Searle: The alternative could be a crass grabbing of power.

Recess to caucus.

Carl Johnson excused. Ray Faricy replaces Johnson.

3:10 P.M.

Anderson, I: The DFL has had some very intense discussions. Do not have any other proposal to lay before the IR.

Searle: Trying to make the time limit. Not quite completed on trying to analyze Under the circumstances if neither side is not ready perhaps we should set a time for tomorrow. Both said we would stay until done. Want to set time for whatever time is convenient.

Anderson, I: 11:00 A.M., Saturday, January 6.

Adjourned.

NEGOTIATING SESSION NO. 20
January 6, 1979, 1:20 P.M.
Room 123, Capitol

MEMBERS PRESENT:

Dean, B.
Searle
Knickerbocker
Anderson, B.
Nelsen, B.

Johnson, C.
Casserly
Anderson, I.
Sieben
Patton

Rep. Searle chaired the meeting.

Searle: Thank the media for being patient. In order to be honest and candid, there was an informal meeting this morning in which the negotiators met to resolve differences that have they have not been able to resolve across the table. No apology. Were not able to reach accord in our discussions. Wanted to come back. I have not been with Mr. Anderson since 10:30 although I understand some of the members lingered on to try and resolve some of the points in disagreement. Willing to meet today, tomorrow or early Monday morning. Both agree that a negotiated settlement would be the best way to go if we can do that. I have no offers to make. Don't know what transpired after I left this morning's meeting. Willing to listen if there are some suggested ways from the other side of the table. Willing to set a time later in the day or tomorrow to see if we can come back later to reach agreement.

Anderson, I: Thanks to the press for waiting. True about the private meeting. Apparently not any more successful than public meetings. Express desire to resolve differences that exist. Suggest recess to the call of the opposing party at any time they wish a meeting. Thought deliberations were very sincere and expressed a strong desire that they wanted to resolve the differences. Both sides sincere desire to negotiate an agreement that is agreeable to both parties. Seem to be unable to resolve a clear-cut definition between the 2 sides. Equal balance that is satisfactory to both sides. (Proposal -- 4 major factors -- (1) Speakership and Chairmanship of Appropriations; (2) Chairman of Rules with 1-vote majority + chairmanship of Taxes) that apparently has been unacceptable to our counterparts. Would like to add one other alternative that we might consider.

Searle: We're not going to play that game.

Anderson, I: That offer is on the side the alternative dealing with Rules Committee - 1 vote edge. We would offer taxes a 1-vote edge with the chairmanship.

Rules -- 1 vote; Speaker Pro Temp + Rules with 1 vote edge; Floor leader + Speaker.

Searle: What about a 68 vote majority?

Sieben: If it's put under a total package.

Nelsen: You're offering us an A or B. Let's not establish the ground rules.

1:40 P.M. Recess to 4:00 P.M. What we have tried to do is study the A and B proposal you gave us and trying to come up with some alternatives. I want to preface it by reminding the other side, I will speak for myself, I'm long on patience; I've got a long fuse but right now, they're a lot shorter than they have been at any other time. We could have stuck it to you on Wednesday -- we could have done it on Thursday. We feel we are coming from a position of more authority than we were a week ago. We're trying to accomodate the problems your caucus inherited. There has been some

bluffing -- perhaps on both sides, some bottom-line, hard-line things. They are negotiable. We will go through it one more time and see if we can find some accommodations and after a reasonable discussion, we may be able to break off and discuss things. That's our attitude. If we're not able to reach a conclusion at this sitting, we will be available in the morning. I will feel a lot fresher in the morning. With that, we would like to respond to your proposal and I would like to go through and explain it. Subcommittee on Rules would have authority to make any changes from the Rules as they now stand at the end of last session.

Anderson, I: I have no questions but some of the other committee members might.

Sieben: Would you take either side?

Searle: Either alternative?

Sieben: We offered you either side.

Patton: Tax Committee with a one-vote margin.

Searle: Possible. I would have to check with my team. We are trying to find some ground.

Anderson, I: Is there a one-vote majority on Taxes or not?

Anderson, B: The 2 divisions would have a 1-vote also.

Patton: What do you envision those divisions to be?

Searle: 1/2 of the members would be on each division.

Patton: How would we determine the divisions of Appropriations?

Searle: On the 2 divisions of Appropriations, you would get the one where you have the incumbent chairman and one other. You take one and we would take one.

Anderson, I: What about subcommittee on Rules?

Searle: In order not to be completely stymied in the operation of the House that there would be 5 members from each caucus who would be put on a special subcommittee of rules. -- to deal with rule changes so that they could not be changed in full rules with the one vote majority -- anything to do with House rules, Joint rules, etc.

Knickerbocker: 2 Divisions of Taxes -- Special Tax - Inheritance; Property Tax and Natural Resources and Local Government Financing.

Anderson, I: Is that your proposal?

Searle: That's our proposal.

Anderson, I: One vote edge of rules -- proposal the other day. You haven't done very much research on that. Are you going to expect us to do your research in this case?

Searle: None of us have sat on Taxes. We would have to sit down with Levine's people. We're trying to find a place that we can agree on.

Anderson, I: Answer to our proposal this morning.

Searle: You wouldn't cross hatch. It would have to be "NO".

Dean: 2 divisions of Taxes. Sincere desire on the part of the IR caucus to participate in the process of building the tax bill for this session. It was clear that this was the major issue of this past summer and fall. If you're going to have the chairmanship of that committee, we want an opportunity to balance and build those bills. Input on constructing those bills. Desire to participate.

Anderson, I: You have given us a one vote edge on the standing committee.

Searle: It's on the table for negotiating.

Anderson, I: My point is you have lost it by giving us the one-vote edge. You can have input at the subcommittee level. Trying to find out what you're seeking.

Searle: It also means that we're going to have the ... of legislation coming out of committees. That's where we have banked. There has to be great cooperation and understanding in this session. One vote edge on taxes and then we would like a one vote edge on both divisions. At this point the speakership is not negotiable. We feel this is a pretty hard point.

Sieben: Is it negotiable or not?

Searle: No, it's not. It balances off on Rules.

Sieben: Scratch off Speaker and Rules. Rules (1 vote); Taxes (1 vote); Appropriations (DFL). IR -- Divisions of Appropriations and Government Operations..

IR

Rules (1 vote)
Taxes (1 vote)
Choice of 1st 2 divisions
of Appropriations

DFL

Appropriations - chairmanship
Speakership
2 divisions of Appropriations
Floor Leader
Speaker Pro Temp

12 of 16 left.

Anderson, I: Further explanation. Proposal withdrawn.

Searle: Was it possible? I have been overruled. We go by a democratic process. IR does not want to bargain on Speaker. On Divisions of Appropriations -- the one - Education (chairman). We would take the next one. You would take 3rd and we would take last one. If you don't want Education we would take the first choice.

Anderson, I: What if we don't want the divisions?

Searle: That would be negotiable.

Anderson, B: Both sides should be responsible for raising money and also spending money.

Searle: page 14, 3d and 3e -- returned to document. page 17, omit No. 1. Education, Higher Education, School Aids,

No. 20

p. 4

More members on Higher Education. Should be more people on Education Committee. Smaller division on School Aids. No big hang-up on that.

AGREED -- Go back to DFL paper where they will do nothing with election contests.

Session Adjourned.