

MINUTES OF THE House COMMITTEE ON Rules and Journal

Held in Room 510 S, at the Statehouse at 1:00 ~~a.m.~~/p.m., on

January 21, 1976

All members were present except: Hayes, _____, _____,
_____, _____, _____.

Mr. Bower presided.

Conferees appearing before the Committee were:

Mr. Arden Ensley, First Assistant Revisor of Statutes

Mr. Fred Carman, Revisor of Statutes

Representative Morris

Representative Lawing

The Committee considered the following items:

A resolution to amend Rule 13 presented by Rep. Slattery, prepared with the assistance of Mr. Ensley and Mr. Carman, which provides for election of the minority leader in case of a vacancy in that office. The difference in time between election of a Speaker and election of a minority leader was discussed. The point was made that with the office of minority leader vacant the minority party would have no representation on the finance council or coordinating council. Rep. Slattery moved that the resolution be recommended for adoption. Rep. Tobias seconded the motion and it was passed unanimously.

Rep. Morris asked the committee to sponsor a new rule limiting or prohibiting smoking in the House Chamber while the House is in formal daily session. One proposal would prohibit smoking entirely, and the second would confine it to the perimeter of the Chamber. Rep. Lawing spoke in support of the second proposal.

Rep. Lawing spoke on Rule 87 which provides for censure or expulsion of members. He feels it is unconstitutionally vague and should list specific types of misconduct, and state precisely how censure should take place. He suggested a copy of charges should be furnished the accused member, a time limit should be placed in which charges may be brought, and the right of confrontation should be upheld. Mr. Carman said due process under the 14th Amendment is absolutely necessary, but questioned the wisdom of including a specific list of offences or of trying to include detailed rules of due process.

The next meeting of the Committee will be held on January 22, 1976,
at 1:00 ~~a.m.~~/p.m., in Room 510 S.

These minutes were read and approved
by the Committee on January 22, 1976


Chairman