

MINUTES OF THE House COMMITTEE ON Rules and Journal

Held in Room 510-S, at the Statehouse at 10:00 a. m./p. m., on December 27, 1977.

All members were present ~~except~~:

The next meeting of the Committee will be held ^{upon call} ~~at~~ _____ a. m./p. m., on _____, 19____.

These minutes of the meeting held on _____, 19____ were considered, corrected and approved.

Phil Menting
Chairman

The conferees appearing before the Committee were:

The meeting was called to order at 10:00 a.m. on December 27, 1977, in Room 510-S with all members present.

Minutes of the last meeting of the committee (March 30, 1977) were distributed the Chairman.

The Chairman stated that this meeting has been authorized by the Legislative Coordinating Council and that the purpose of the meeting is to review any proposed new rules or rule changes.

At the request of the Chairman, Mr. Fred Carman, Revisor of Statutes, distributed copies of the Iowa House Rule on Arranagment of the Calendar (Rule 32). Discussion of the Iowa rule disclosed that the current practice in interpretation is that the bills go on General Orders in the sequence reported from standing committees. There was a review and discussion of how the Iowa practice compares with the current practice in Kansas. Some members favored the concept that more responsibility should be placed upon committee chairpersons to retain in committee those bills which should not be considered on General Orders, and that therefore the Iowa system had much to be said in favor of it. There was some concern expressed that committee members or chairpersons might need to be changed in some cases if a new system is adopted at this time rather than at the beginning of a biennium. There was discussion as to whether action taken by the committee at this meeting would be binding, and it was agreed that would depend upon the wording of various motions since the meeting is a regularly authorized meeting of the standing committee. There was a concensus expressed that the Revisor of Statutes should prepare a draft resolution that would introduce the Iowa system of placing bills on General Orders, and that the draft be available for committee consideration at an early time in the 1978 legislative session.

The Chairman stated that he would like to have any recommendations considered in the first two or three days of the session so that during the balance of the session time could be given to making interpretations.

At the request of the Chairman, Mr. Carman distributed a proposed resolution to amend Rule 63--Call of the House. It was explained that the resolution would make a Call of the House available on motions to strike the enacting clause and also on motions to strike all after the enacting clause, and that both of these motions have a similar effect, i.e., to kill the bill if the motion passes. It was observed that the House had ruled during the 1977 session that a Call of the House on a motion to strike the enacting clause was in order under the existing rule, but there was also information that in prior sessions such a motion has been ruled out of order. Following the discussion Rep. Miller moved that the resolution amending Rule 63 be approved for introduction and that it be prefiled. Rep. Frey seconded the motion and the motion carried unanimously (see copy of HR No. 6056 attached).

Chairman Martin brought up the matter of lobbyists "collaring" members in the anteroom immediately outside the House chamber door. Rep. Frey suggested that this area should be kept clear upon the Speaker's recommendation to lobbyists rather than by amendment of the House rules, since it would be undesirable to make constituent access to legislators unduly difficult. The Committee appeared to agree that Rep. Frey's position was well taken.

Rep. Frey brought up the matter of whether a vote may be required to be recorded in a standing committee meeting. It was observed that Robert's Rules of Order Newly Revised does not require recording of votes in committee. Staff was requested to prepare a memorandum in the name of the Rules and Journal Committee stating its position and interpretation that a recorded vote may not be required in standing committee meeting but that any member may request that such individual member's vote be recorded. Upon inquiry it was determined that the memorandum should be on paper with a typed letterhead of the Committee rather than on any printed letterhead.

There was discussion of Joint Rule 4 which establishes deadlines for consideration of bills, and that the question of whether a bill considered on the day of a deadline may be reconsidered on the day following the deadline. It was observed that this practice had been permitted in the Senate during the 1977 session. There was observation that amendment of the joint rules is a difficult procedure. Thereupon staff was instructed to add to the memorandum that when a bill is considered on a deadline day, the action on the bill may be reconsidered on the day following the deadline. It was agreed that this memorandum should be approved by individual members of the Committee and placed on the desks of all members of the House on the first day, if possible, and if not, then on the second day.

Following a brief recess, Mr. Carman distributed copies of a resolution to amend Rule 37 and add a new Rule 38, relating to motions to amend. The resolution was discussed in considerable detail and relevant pages of Robert's Rules of Order Newly Revised were studied by members of the Committee. It was determined that the

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distributed draft contained more material than desirable in Rule 38. The last sentence of the first paragraph of the proposed Rule 38 which read "Also a motion to amend a motion which amends a main motion shall be out of order." should be deleted. This deletion was agreed to be appropriate partly upon the suggestion of Ben F. arrett, Research Associate, that the language might be interpreted to prohibit other motions listed in Rule 37 when a motion to amend is pending. The last paragraph of the proposed rule which read "Motions to substitute (and substitute motions, so called) shall be subject to the same rules as any other motion to amend or motion to amend a main motion, as the case may be." should also be deleted. Arden Ensley, First Assistant Revisor of Statutes, suggested that this language would tend to inform that the old improper procedure would no longer be followed, and it was agreed that this paragraph was redundant and might be confusing and add to complications of interpretation. It was agreed that some of the proposed rule merely repeats what Robert's Rules of Order Newly Revised already states, but that this would be of assistance to new members. Rep. Mills moved that, with the changes agreed upon by the Committee referred to above, the resolution be approved for introduction and prefiled by the Committee on Rules and Journal. Rep. Mikesic seconded the motion and the motion carried unanimously (see HR No. 6057 attached).

The meeting adjourned.