

PROOF

STATE OF IOWA

House Journal

TUESDAY, FEBRUARY 10, 2009

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 10, 2009

The House met pursuant to adjournment at 9:00 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Jay Jaeger, pastor of St. Paul's Lutheran Church in Alden and Buckeye. He was the guest of Representative Annette Sweeney of Hardin County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Joe Sweeney, Journal Room Page from Alden and the son of Representative Annette Sweeney.

The Journal of Monday, February 9, 2009 was approved.

INTRODUCTION OF BILLS

[House File 235](#), by Bailey, a bill for an act relating to involuntary discharge of a resident from the veterans home.

Read first time and referred to committee on **veterans affairs**.

[House File 236](#), by T. Olson, Abdul-Samad, Kressig, Berry, Petersen, L. Miller, Heaton, Thede, Reichert, Wessel-Kroeschell and Mascher, a bill for an act concerning the substitution of antiepileptic drugs and establishing an effective date.

Read first time and referred to committee on **human resources**.

[House File 237](#), by Bailey, Zirkelbach and Marek, a bill for an act providing for family military leave from employment for certain relatives of individuals called to active military service and providing a remedy.

Read first time and referred to committee on **veterans affairs**.

[House File 238](#), by committee on state government, a bill for an act establishing a lean enterprise office within the department of management.

Read first time and placed on the **calendar**.

[House File 239](#), by Smith, a bill for an act relating to delivery of absentee ballots to certain health care facilities and hospitals.

Read first time and referred to committee on **state government**.

[House File 240](#), by Berry, a bill for an act relating to the setting aside of a portion of child support payments in a separate fund to be invested and reserved for the child.

Read first time and referred to committee on **judiciary**.

[House File 241](#), by Berry, a bill for an act concerning the power of local authorities to limit the issuance of liquor control permits and licenses within certain areas.

Read first time and referred to committee on **state government**.

[House File 242](#), by Berry, a bill for an act creating the criminal offense of sexual solicitation of a minor, providing for registration on the sex offender registry, and providing penalties.

Read first time and referred to committee on **public safety**.

[House File 243](#), by committee on state government, a bill for an act providing for gender balance on local boards, commissions, committees, and councils, and including an applicability provision.

Read first time and placed on the **calendar**.

SENATE MESSAGE CONSIDERED

[Senate File 9](#), by Ragan, a bill for an act relating to the disposition of school property and providing an effective date.

Read first time and **passed on file**.

Abdul-Samad of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 9](#).

ADOPTION OF [HOUSE RESOLUTION 9](#)

Deyoe of Story called up for consideration [House Resolution 9](#), a resolution to honor the memory of former state representative Barbara Finch, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Deyoe of Story introduced to the House, Bob Finch, husband of the honorable Barbara Finch former state representative from Story County.

The House rose and expressed its welcome.

On motion by Abdul-Samad of Polk, the House was recessed at 9:10 a.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:02 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

[House File 244](#), by Reichert, a bill for an act excluding from the individual income tax the pay of members of the armed forces, armed forces military reserve, and national guard for service on active duty and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

[House File 245](#), by Windschitl, Schultz, Alons, Huseman, Baudler, Watts, Deyoe, Worthan, Soderberg, Sands, May, Kaufmann, Raecker, Dolecheck, De Boef, Helland, Schulte, Hagenow, Sorenson, Arnold and Drake, a bill for an act exempting from the computation of the individual income tax all pay received for service in the national guard and including a retroactive applicability provision.

Read first time and referred to committee on **veterans affairs**.

[House File 246](#), by Reichert, a bill for an act relating to the vote of qualified electors for elections in drainage or levee districts managed by a board of trustees and including transition provisions.

Read first time and referred to committee on **agriculture**.

[House File 247](#), by Jacoby, a bill for an act establishing a state health insurance mandate commission.

Read first time and referred to committee on **commerce**.

[House File 248](#), by Worthan, a bill for an act requiring certain school districts with more than four percent of students participating in open enrollment to pay a portion of its student achievement and teacher quality program funds to the receiving school district.

Read first time and referred to committee on **education**.

[House File 249](#), by Bell, a bill for an act modifying the duties and powers of the county treasurer relating to the renewal of certain vehicle registrations and to assessments for water districts and assessments related to fence disputes.

Read first time and referred to committee on **local government**.

[House File 250](#), by Tymeson, a bill for an act creating a distinguished flying cross special motor vehicle registration plate and providing fees.

Read first time and referred to committee on **veterans affairs**.

[House File 251](#), by Marek, a bill for an act relating to mortgage foreclosure and real estate obligation protections for members of the reserve military forces.

Read first time and referred to committee on **veterans affairs**.

[House File 252](#), by Thomas, a bill for an act providing a credit against the individual income tax for volunteer fire fighters, certified reserve peace officers, and volunteer emergency medical services personnel and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

[House File 253](#), by Quirk, a bill for an act relating to indemnity provisions in construction contracts.

Read first time and referred to committee on **commerce**.

[House File 254](#), by Quirk, a bill for an act relating to catch and possession limits on crappie and blue gill.

Read first time and referred to committee on **natural resources**.

[House File 255](#), by Gayman, a bill for an act providing for mandatory universal newborn and infant eye examinations.

Read first time and referred to committee on **human resources**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Baudler of Adair on request of Roberts of Carroll; Mertz of Kossuth on request of Speaker Murphy; Sorenson of Warren on request of Tymeson of Madison; Tjepkes of Webster on request of Paulsen of Linn.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-seven members present, thirteen absent.

CONSIDERATION OF BILLS Regular Calendar

[Senate File 45](#), a bill for an act relating to issuance of certain county general obligation bonds by requiring published notice and modifying the ballot proposition, and including effective date, validation, and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Kressig of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 45](#))

The ayes were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Heddens	Hunter	Huser
Isenhart	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Miller, H.
Oldson	Olson, D.	Olson, R.	Olson, T.
Palmer	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Steckman	Taylor, D.	Taylor, T.	Thede
Thomas	Wendt	Wenthe	Wessel-Kroeschell
Whitaker	Whitead	Willems	Winckler
Zirkelbach	Mr. Speaker Murphy		

The nays were, 40:

Alons	Anderson	Arnold	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Grassley	Hagenow	Heaton
Helland	Horbach	Huseman	Kaufmann
Koester	Lukan	May	Miller, L.
Olson, S.	Paulsen	Pettengill	Raecker
Rants	Rayhons	Roberts	Sands
Schulte	Schultz	Soderberg	Struyk
Sweeney	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Windschitl	Worthan

Absent or not voting, 6:

Baudler	Chambers	Mertz	Sorenson
Swaim	Tjepkes		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 45](#) be immediately messaged to the Senate.

ADOPTION OF [HOUSE RESOLUTION 7](#)

H. Miller of Webster called up for consideration [House Resolution 7](#), as follows and moved its adoption:

1 [House Resolution 7](#)
2 by Committee on Ethics
3 (Successor to [HSB 2](#))
4 A resolution relating to the House code of ethics.
5 *Be it resolved by the House of Representatives,*
6 That the House Code of Ethics shall be as follows:
7 *House Code of Ethics*
8 *Preamble.* Every legislator and legislative
9 employee has a duty to uphold the integrity and honor
10 of the general assembly, to encourage respect for the
11 law and for the general assembly, and to observe the
12 house code of ethics. The members and employees of
13 the house have a responsibility to conduct themselves
14 so as to reflect credit on the general assembly, and
15 to inspire the confidence, respect, and trust of the
16 public. The following rules are adopted pursuant to
17 chapter 68B of the Code, to assist the members and
18 employees in the conduct of their activities:
19 1. *Definitions.* The definitions of terms provided
20 in chapter 68B of the Code apply to the use of those
21 terms in these rules.
22 2. *Economic interest of member or employee of*
23 *House.*
24 a. Economic or investment opportunity. A member
25 or employee of the house shall not solicit or accept
26 economic or investment opportunity under circumstances
27 where the member or employee knows, or should know,
28 that the opportunity is being afforded with the intent
29 to influence the member's or employee's conduct in the
30 performance of official duties. If a member or

Page 2

1 employee of the house learns that an economic or
2 investment opportunity previously accepted was offered
3 with the intent of influencing the member's or
4 employee's conduct in the performance of the official
5 duties, the member or employee shall take steps to
6 divest that member or employee of that investment or
7 economic opportunity, and shall report the matter in
8 writing to the chairperson of the house ethics
9 committee.
10 b. Excessive charges for services, goods, or
11 property interests. A member or employee of the house
12 shall not charge to or accept from a person known to
13 have a legislative interest, a price, fee,

14 compensation, or other consideration for the sale or
15 lease of any property or the furnishing of services
16 which is in excess of that which the member or
17 employee would ordinarily charge another person.
18 c. Use of confidential information. A member or
19 employee of the house, in order to further the
20 member's or employee's own economic interests, or
21 those of any other person, shall not disclose or use
22 confidential information acquired in the course of the
23 member's or employee's official duties. For the
24 purpose of this rule, information disclosed in open
25 session at a public meeting ~~under chapter 21 of the~~
26 ~~Code~~ and information that is a public record ~~under~~
27 ~~chapter 22 of the Code~~ is not confidential
28 information.
29 d. Employment. A member or employee of the house
30 shall not accept employment, either directly or

Page 3

1 indirectly, from a political action committee. A
2 member of the house shall not act as a paid lobbyist
3 for any organization. However, this paragraph shall
4 not prohibit a member or employee of the house from
5 working for a candidate's committee, a political
6 party's action committee, or a political action
7 committee which does not expressly advocate the
8 nomination, election, or defeat of a candidate for
9 public office in this state or expressly advocate the
10 passage or defeat of a ballot issue in this state and
11 which is not interested in issues before the general
12 assembly.
13 For the purpose of this rule, a political action
14 committee means a committee, but not a candidate's
15 committee, which accepts contributions, makes
16 expenditures, or incurs indebtedness in the aggregate
17 of more than seven hundred fifty dollars in any one
18 calendar year to expressly advocate the nomination,
19 election, or defeat of a candidate for public office
20 or to expressly advocate the passage or defeat of a
21 ballot issue or for the purpose of influencing
22 legislative action.
23 e. A member or employee of the house shall not
24 solicit employment on behalf of the member or
25 employee, or on behalf of another legislator or
26 employee, as a lobbyist while the general assembly is
27 in session.
28 f. Certain goods or services. A member or
29 employee of the house shall not solicit or obtain
30 goods or services from another person under

Page 4

1 circumstances where the member or employee knows or
2 should know that the goods or services are being
3 offered or sold with the intent to influence the
4 member's or employee's conduct in the performance of
5 official duties. If a member or employee of the house
6 is afforded goods or services by another person at a
7 price that is not available to other members or
8 classes of members of the general public or is
9 afforded goods or services that are not available to
10 other members or classes of members of the general
11 public by another person where the member or employee
12 knows or should know that the other person intends to
13 influence the member's or employee's official conduct,
14 the member or employee shall not take or purchase the
15 goods or services.

16 3. APPEARANCE BEFORE STATE AGENCY. A member or
17 employee of the house may appear before a state agency
18 in any representation case but shall not act as a
19 lobbyist with respect to the passage, defeat,
20 approval, veto, or modification of any legislation,
21 rule, or executive order. Whenever a member or
22 employee of the house appears before a state agency,
23 the member or employee shall carefully avoid all
24 conduct which might in any way lead members of the
25 general public to conclude that the member or employee
26 is using the member's or employee's official position
27 to further the member's or employee's professional
28 success or personal financial interest.

29 4. CONFLICTS OF INTEREST. In order for the
30 general assembly to function effectively, members of

Page 5

1 the house may be required to vote on bills and
2 participate in committee work which will affect their
3 employment and other areas in which they may have a
4 monetary interest. Action on bills and committee work
5 which furthers a member's specific employment,
6 specific investment, or other specific interest, as
7 opposed to the interests of the public in general or
8 the interests of a profession, trade, business, or
9 other class of persons, shall be avoided. In making a
10 decision relative to a member's activity on particular
11 bills or in committee work, the following factors
12 should be considered:

13 a. Whether a substantial threat to the member's
14 independence of judgment has been created by the
15 conflict situation.

16 b. The effect of the member's participation on
17 public confidence in the integrity of the general

18 assembly.
19 c. Whether the member's participation is likely to
20 have any significant effect on the disposition of the
21 matter.
22 d. The need for the member's particular
23 contribution, such as special knowledge of the subject
24 matter, to the effective functioning of the general
25 assembly.
26 If a member decides not to participate in committee
27 work or to abstain from voting because of a possible
28 conflict of interest, the member should disclose this
29 fact to the legislative body. The member shall not
30 vote on any question in which the member has an

Page 6

1 economic interest that is distinguishable from the
2 interests of the general public or a substantial class
3 of persons.
4 5. *Statutory requirements.* Members and employees
5 of the house shall comply with the requirements
6 contained in chapters 68B (Conflicts of Interest of
7 Public Officers and Employees), 721 (Official
8 Misconduct), and 722 (Bribery and Corruption), and
9 sections 2.18 (Contempt) and 711.4 (Extortion) of the
10 Code.
11 6. *Charge accounts.* Members and employees of the
12 house shall not charge any amount or item to a charge
13 account to be paid for by a lobbyist or any client of
14 a lobbyist.
15 7. *Travel expenses.* A member or employee of the
16 house shall not charge to the state of Iowa amounts
17 for travel and expenses unless the member or employee
18 actually has incurred those mileage and expense costs.
19 Members or employees shall not file the vouchers for
20 weekly mileage reimbursement required by section 2.10,
21 subsection 1 of the Code, unless the travel expense
22 was actually incurred.
23 A member or employee of the house shall not file a
24 claim for per diem compensation for a meeting of an
25 interim study committee or a visitation committee
26 unless the member or employee attended the meeting.
27 However, the speaker may waive this provision and
28 allow a claim to be filed if the member or employee
29 attempted to attend the meeting but was unable to do
30 so because of circumstances beyond the member's or

Page 7

1 employee's control.
2 8. *Gifts accepted or received.* Members and
3 employees of the house shall comply with the

4 restrictions relating to the receipt or acceptance of
5 gifts contained in section 68B.22 of the Code.
6 9. *Honoraria restrictions.* Members and employees
7 of the house shall comply with the restrictions
8 relating to the receipt of honoraria contained in
9 section 68B.23 of the Code.
10 10. *Disclosure required.* Each member of the house
11 and the chief clerk of the house shall file the
12 personal financial disclosure statements required
13 under section 68B.35 of the Code by February 15 of
14 each year for the prior calendar year.
15 11. *Sexual harassment.* Members and employees of
16 the house shall not engage in conduct which
17 constitutes sexual harassment as defined in section
18 19B.12 of the Code or pursuant to the sexual
19 harassment policy adopted by the house committee on
20 administration and rules.
21 12. *Complaints.*
22 a. *Filing of complaint.* Complaints may be filed
23 by any person believing that a member or employee of
24 the house, a lobbyist, or a client of a lobbyist is
25 guilty of a violation of the house code of ethics, the
26 house rules governing lobbyists, or chapter 68B of the
27 Code.
28 b. *Complaints by committee.* The ethics committee
29 may initiate a complaint on its own motion. Committee
30 complaints may be initiated by the committee as a

Page 8

1 result of a committee investigation or as a result of
2 receipt of any complaint or other information that
3 does not meet the requirements of these rules
4 regarding the form of a complaint but that contains
5 allegations that would form the basis for a valid
6 complaint.
7 c. *Form and contents of complaint.* A complaint
8 shall be in writing.
9 Complaint forms shall be available from the chief
10 clerk of the house, but a complaint shall not be
11 rejected for failure to use the approved form if it
12 complies with the requirements of these rules. The
13 complaint shall contain a certification made by the
14 complainant, under penalty of perjury, that the facts
15 stated in the complaint are true to the best of the
16 complainant's knowledge.
17 To be valid, a complaint shall allege all of the
18 following:
19 (1) Facts, that if true, establish a violation of
20 a provision of chapter 68B of the Code, the house code
21 of ethics, or house rules governing lobbyists for
22 which penalties or other remedies are provided.

23 (2) That the conduct providing the basis for the
24 complaint occurred within three years of the filing of
25 the complaint.
26 (3) That the party charged with a violation is a
27 party subject to the jurisdiction of the ethics
28 committee.
29 d. Confidentiality of complaint. The filing of
30 the complaint and the contents of the complaint shall

Page 9

1 be confidential until the time that the committee
2 meets to determine whether the complaint is valid,
3 unless either the complainant or the party charged in
4 the complaint makes the existence of, or the
5 information contained in, the complaint public.
6 However, if either the complainant or party alleged to
7 have committed the violation requests that the meeting
8 to determine whether the complaint is valid be a
9 closed meeting and the filing of the complaint or the
10 contents of the complaint have not been disclosed, the
11 meeting shall be closed.
12 e. Notice of complaint. Upon receipt of the
13 complaint, the chief clerk of the house shall promptly
14 notify the chairperson and ranking member of the
15 ethics committee that a complaint has been filed and
16 provide both the chairperson and the ranking member
17 with copies of the complaint and any supporting
18 information. Within two working days, the chief clerk
19 shall send notice, either by personal delivery or by
20 certified mail, return receipt requested, to the
21 person or persons alleged to have committed the
22 violation, along with a copy of the complaint and any
23 supporting information. The notice to the accused
24 person shall contain a request that the person submit
25 a written response to the complaint within ten working
26 days of the date that the notice was sent by the chief
27 clerk. At the request of the accused person, the
28 committee may extend the time for the response, not to
29 exceed ten additional calendar days.
30 f. Hearing regarding validity of complaint. The

Page 10

1 committee chairperson and the ranking member shall
2 review the complaint and supporting information to
3 determine whether the complaint meets the requirements
4 as to form. If the complaint is deficient as to form,
5 the complaint shall be returned to the complainant
6 with instructions indicating the deficiency unless the
7 committee decides to proceed on its own motion. If
8 the complaint is in writing and contains the

9 appropriate certification, as soon as practicable, the
10 chairperson shall call a meeting of the committee to
11 review the complaint to determine whether the
12 complaint meets the requirements for validity and
13 whether the committee should request that the chief
14 justice of the supreme court appoint an independent
15 special counsel to conduct an investigation to
16 determine whether probable cause exists to believe
17 that a violation of the house code of ethics, house
18 rules governing lobbyists, or chapter 68B of the Code,
19 has occurred.
20 If the committee finds that a complaint does not
21 meet the content requirements for a valid complaint,
22 the committee shall dismiss the complaint and notify
23 both the complainant and the party alleged to have
24 committed the violation of the dismissal and the
25 reasons for dismissal. A dismissal for failure to
26 meet the formal requirements for the filing of a
27 complaint shall be without prejudice and the
28 complainant may re-file the complaint at any time
29 within three years of the date that the alleged
30 violation took place. If the dismissal is based upon

Page 11

1 a failure to allege facts and circumstances necessary
2 for a valid complaint, the dismissal shall be with
3 prejudice and the party shall not be permitted to file
4 a complaint based upon the same facts and
5 circumstances.
6 g. Request for appointment of independent special
7 counsel. If, after review of the complaint and any
8 response made by the party alleged to have committed
9 the violation, the committee determines that the
10 complaint meets the requirements for form and content,
11 the committee shall request that the chief justice of
12 the supreme court appoint independent special counsel
13 to investigate the matter and determine whether
14 probable cause exists to believe that a violation of
15 chapter 68B of the Code, the house code of ethics, or
16 the house rules governing lobbyists has occurred.
17 h. Receipt of report of independent special
18 counsel. The report from the independent special
19 counsel regarding probable cause to proceed on a
20 complaint shall be filed with the chief clerk of the
21 house. Upon receipt of the report of the independent
22 special counsel, the chief clerk shall notify the
23 chairperson of the filing of the report and shall send
24 copies of the report to the members of the ethics
25 committee. As soon as practicable after the filing of
26 the report, the chairperson shall schedule a public
27 meeting for review of the report. The purpose of the

28 public meeting shall be to determine whether the
29 complaint should be dismissed, whether a formal
30 hearing should be held on the complaint, or whether

Page 12

1 other committee action is appropriate. The
2 complainant and the person alleged to have committed
3 the violation shall be given notice of the public
4 meeting, shall have the right to be present at the
5 public meeting, and may, at the discretion of the
6 committee, present testimony in support of or against
7 the recommendations contained in the report.
8 If the committee determines that the matter should
9 be dismissed, the committee shall cause an order to be
10 entered dismissing the matter and notice of the
11 dismissal shall be given to the complainant and the
12 party alleged to have committed the violation. If the
13 committee determines that the complaint should be
14 scheduled for formal hearing, the committee shall
15 issue a charging statement which contains the charges
16 and supporting facts that are to be set for formal
17 hearing and notice shall be sent to the complainant
18 and the accused person.
19 The notice shall include a statement of the nature
20 of the charge or charges, a statement of the time and
21 place of hearing, a short and plain statement of the
22 facts asserted, and a statement of the rights of the
23 accused person at the hearing.
24 i. Formal hearing. Formal hearings shall be
25 public and conducted in the manner provided in section
26 68B.31, subsection 8 of the Code. At a formal hearing
27 the accused shall have the right to be present and to
28 be heard in person and by counsel, to cross-examine
29 witnesses, and to present evidence. Members of the
30 committee shall also have the right to question

Page 13

1 witnesses.
2 Evidence at the formal hearing shall be received in
3 accordance with rules and procedures applicable to
4 contested cases under chapter 17A of the Code.
5 The committee chairperson, or the vice chairperson
6 or ranking member in the absence of the chairperson,
7 shall preside at the formal hearing and shall rule on
8 the admissibility of any evidence received. The
9 ruling of the chairperson may be overturned by a
10 majority vote of the committee. Independent special
11 counsel shall present the evidence in support of the
12 charge or charges. The burden shall be on the
13 independent special counsel to prove the charge or

14 charges by a preponderance of clear and convincing
15 evidence. Upon completion of the formal hearing, the
16 committee shall adopt written findings of fact and
17 conclusions concerning the merits of the charges and
18 make its report and recommendation to the house.
19 j. Recommendations by the committee. The
20 committee shall recommend to the house that the
21 complaint be dismissed, or that one or more of the
22 following be imposed:
23 (1) That the member or employee of the house or
24 lobbyist or client of a lobbyist be censured or
25 reprimanded, and the recommended appropriate form of
26 censure or reprimand be used.
27 (2) That the member of the house be suspended or
28 expelled from membership in the house and required to
29 forfeit the member's salary for that period, the
30 employee of the house be suspended or dismissed from

Page 14

1 employment, or that the lobbyist's or lobbyist's
2 client's lobbying privileges be suspended.
3 13. *Communications with Ethics Committee.* After a
4 complaint has been filed or an investigation has been
5 initiated, a party to the complaint or investigation
6 shall not communicate, or cause another to
7 communicate, as to the merits of the complaint or
8 investigation with a member of the committee, except
9 under the following circumstances:
10 a. During the course of any meetings or other
11 official proceedings of the committee regarding the
12 complaint or investigation.
13 b. In writing, if a copy of the writing is
14 delivered to the adverse party or the designated
15 representative for the adverse party.
16 c. Orally, if adequate prior notice of the
17 communication is given to the adverse party or the
18 designated representative for the adverse party.
19 d. As otherwise authorized by statute, the house
20 code of ethics, house rules governing lobbyists, or
21 vote of the committee.
22 14. *Permanent Record.* The chief clerk of the
23 house shall maintain a permanent record of all
24 complaints filed and any corresponding committee
25 action. The permanent record shall be prepared by the
26 ethics committee and shall contain the date the
27 complaint was filed, name and address of the
28 complainant, name and address of the accused person, a
29 brief statement of the charges made, any evidence
30 received by the committee, any transcripts or

Page 15

1 recordings of committee action, and ultimate
2 disposition of the complaint. The chief clerk shall
3 keep each complaint confidential until public
4 disclosure is made by the ethics committee.
5 15. *Meeting authorization.* The house ethics
6 committee is authorized to meet at the discretion of
7 the committee chairperson in order to conduct hearings
8 and other business that properly may come before it.
9 If the committee submits a report seeking house action
10 against a member or employee of the house or lobbyist
11 after the second regular session of a general assembly
12 has adjourned sine die, the report shall be submitted
13 to and considered by the subsequent general assembly.
14 16. *Advisory opinions.*
15 a. Requests for formal opinions. A request for a
16 formal advisory opinion may be filed by any person who
17 is subject to the authority of the ethics committee.
18 The ethics committee may also issue a formal advisory
19 opinion on its own motion, without having previously
20 received a formal request for an opinion, on any issue
21 that is within the jurisdiction of the committee.
22 Requests shall be filed with either the chief clerk of
23 the house or the chairperson of the ethics committee.
24 b. Form and contents of requests. A request for a
25 formal advisory opinion shall be in writing and may
26 pertain to any subject matter that is related to
27 application of the house code of ethics, the house
28 rules governing lobbyists, or chapter 68B of the Code
29 to any person who is subject to the authority of the
30 ethics committee. Requests shall contain one or more

Page 16

1 specific questions and shall relate either to future
2 conduct or be stated in the hypothetical. A request
3 for an advisory opinion shall not specifically name
4 any individual or contain any other specific
5 identifying information, unless the request relates to
6 the requester's own conduct. However, any request may
7 contain information which identifies the kind of
8 individual who may be affected by the subject matter
9 of the request. Examples of this latter kind of
10 identifying information may include references to
11 conduct of a category of individuals, such as but not
12 limited to conduct of legislators, legislative staff,
13 or lobbyists.
14 c. Confidentiality of formal requests and
15 opinions. Requests for formal opinions are not
16 confidential and any deliberations of the committee
17 regarding a request for a formal opinion shall be

18 public. Opinions issued in response to requests for
 19 formal opinions are not confidential, shall be in
 20 writing, and shall be placed on file in the office of
 21 the chief clerk of the house. Persons requesting
 22 formal opinions shall personally receive a copy of the
 23 written formal opinion that is issued in response to
 24 the request.

25 17. *Personal Financial Disclosure Form.* The
 26 following form shall be used for disclosure of
 27 economic interests under these rules and section
 28 68B.35 of the Code:

29 *Statement of Economic Interests*

30 Name: _____

Page 17

1 (Last) (First) (Middle Initial)
 2 Address: _____
 3 (Street Address, Apt.#/P.O. Box)
 4 _____
 5 (City) (State) (Zip)
 6 Phone:(Home)____/____-(Business)____/____-_____
 7 *****

8 This form is due each year on or before February
 9 15. The reporting period is the most recently
 10 completed calendar year.
 11 In completing Division III of this form, if your
 12 percentage of ownership of an asset is less than 100
 13 percent, multiply your percentage of ownership by the
 14 total revenue produced to determine if you have
 15 reached the \$1,000 threshold.

16 Do not report income received by your spouse or
 17 other family members.
 18 In completing this form, if insufficient space is
 19 provided for your answer, you may attach additional
 20 information/answers on full-size sheets of paper.

21 Division I. Business, Occupation, Profession.
 22 List each business, occupation, or profession in
 23 which you are engaged, the nature of the business if
 24 not evident, and your position or job title. No
 25 income threshold or time requirement applies.

26 Examples:
 27 If you are employed by an individual, state the
 28 name of the individual employer, the nature of the
 29 business, and your position.
 30 If you are self-employed and are not incorporated

Page 18

1 or are not doing business under a particular business
 2 name, state that you are self-employed, the nature of
 3 the business, and your position.

4 If you own your own corporation, are employed by a
5 corporation, or are doing business under a particular
6 business name, state the name and nature of the
7 business or corporation and your position.

- 8 1 _____
- 9 2 _____
- 10 3 _____
- 11 4 _____
- 12 5 _____
- 13 6 _____

14 Division II. Commissions from Sales of Goods or
15 Services to Political Subdivisions.

16 This part is to be completed only by Legislators.
17 If you received income in the form of a commission
18 from the sale of goods or services to a political
19 subdivision, state the name of the purchasing
20 political subdivision. The amount of commission
21 earned is not required to be listed.

- 22 1 _____
- 23 2 _____
- 24 3 _____
- 25 4 _____
- 26 5 _____
- 27 6 _____

28 Division III. Sources of Gross Income.

29 In each one of the following categories list each
30 source which produces more than \$1,000 in annual gross

Page 19

1 income, if the revenue produced by the source was
2 subject to federal or state income taxes last year.
3 List the nature or type of each company, business,
4 financial institution, corporation, partnership, or
5 other entity which produces more than \$1,000 of annual
6 gross income. Neither the amount of income produced
7 nor value of the holding is required to be listed in
8 any of the items.

9 A. Securities: State the nature of the business of
10 any company in which you hold stock, bonds, or other
11 pecuniary interests that generate more than \$1,000 in
12 annual gross income. Income generated by multiple
13 holdings in a single company are deemed received from
14 a single source.

- 15 _____
- 16 _____
- 17 _____
- 18 _____
- 19 _____
- 20 _____

21 B. Instruments of Financial Institutions: State the
22 types of institutions in which you hold financial

23 instruments, such as certificates of deposit, savings
 24 accounts, etc., that produce annual gross income in
 25 excess of \$1,000, e.g., banks, savings and loans, or
 26 credit unions.

27 _____
 28 _____
 29 _____
 30 _____

Page 20

1 _____
 2 _____
 3 C. Trusts: State the nature or type of any trust
 4 from which you receive more than \$1,000 of gross
 5 income annually.
 6 _____
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____

12 D. Real Estate: State the general nature of real
 13 estate interests that generate more than \$1,000 of
 14 gross income annually, e.g., residential leasehold
 15 interest or farm leasehold interest. The size or
 16 location of the property interest is not required to
 17 be listed.
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____

24 E. Retirement Systems: State the name of each
 25 pension plan or other corporation or company that pays
 26 you more than \$1,000 annually in retirement benefits.
 27 _____
 28 _____
 29 _____
 30 _____

Page 21

1 _____
 2 _____
 3 F. Other Income Categories Specified in State and
 4 Federal Income Tax Regulations.
 5 _____
 6 _____
 7 _____
 8 _____

9 _____
 10 _____
 11 _____
 12 (Signature of Filer) (Date)

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE RESOLUTION 8](#)

Wessel-Kroeschell of Story called up for consideration [House Resolution 8](#), as follows and moved its adoption:

1 [House Resolution 8](#)
 2 by Committee on Administration and Rules
 3 (Successor to [HSB 145](#))
 4 A resolution relating to permanent rules of the House
 5 for the eighty-third general assembly.
 6 *Be It Resolved By The House Of Representatives,*
 7 That the permanent rules of the House for the
 8 ~~eighty-second~~ eighty-third general assembly be as
 9 follows:
 10 DIVISION I – GENERAL RULES
 11 Rule 1
 12 Call to Order and Order of Business
 13 The speaker shall take the chair at the hour to
 14 which the house has adjourned, and shall immediately
 15 call the ~~members~~ house to order, correct the journal
 16 of the previous day's proceedings, and proceed to
 17 other business, including, but not limited to,
 18 introduction of bills, reports, messages,
 19 communications, business pending at adjournment,
 20 announcements, resolutions and bills on their passage,
 21 and points of personal privilege.
 22 Rule 2
 23 Quorum Call and Time of Convening
 24 The house shall convene each Monday at 1:00 p.m.
 25 and at 9:00 a.m. on all other legislative days, unless
 26 otherwise ordered. The time of convening shall be
 27 recorded in the journal. The house shall not convene
 28 on Sunday during a regular or special session.
 29 The speaker or a member may request a roll call to
 30 determine if a quorum is present.

Page 2

1 Rule 3
 2 Absences from the House
 3 No member shall be absent without leave while the
 4 house is in session unless ~~the member is sick or~~
 5 ~~unable to attend~~ excused for good cause.

6 Rule 4
 7 Preservation of Order
 8 The speaker shall preserve order and decorum and
 9 speak to points of order ~~in preference to other~~
 10 ~~members~~. Subject to an appeal to the house by any
 11 member, the speaker shall decide questions of order
 12 which shall not be debated.
 13 The speaker may have the chamber of the house
 14 cleared in case of any disturbance or disorderly
 15 conduct.
 16 Only past legislators, state officials, persons
 17 whose presence is deemed by the speaker to be of
 18 special significance to the house, and school classes
 19 accompanied by teachers and seated in the galleries
 20 shall be introduced in the house.
 21 No person other than a member of the house shall be
 22 allowed to speak from the floor of the house without
 23 prior permission of the speaker.
 24 The public may take photographs from the galleries
 25 at any time. However, the use of flash bulbs or any
 26 other artificial lighting is prohibited. ~~The~~
 27 ~~Members of the press may photograph from the press~~
 28 ~~section box, but may shall not use artificial lighting~~
 29 ~~except for live television crews who receive without~~
 30 ~~prior permission in advance from the chief clerk of~~

Page 3

1 the house ~~or the sergeant at arms. Photographic~~
 2 ~~instruments shall not be used~~ Photographs shall not be
 3 taken on the house floor at any time when the members
 4 are voting on a question put before the house.
 5 ~~Photographic instruments may be used~~ Photographs of
 6 the voting boards shall not be taken while a nonrecord
 7 roll call vote is displayed. Photographs may be taken
 8 on the house floor at other times with the consent of
 9 the subject or subjects of the photography.

10 Rule 4A
 11 Use of Telephonic or Electronic Devices
 12 in Chamber Restricted
 13 1. ~~In order to prevent the disruption of house~~
 14 ~~deliberations, a~~ A person present in the house chamber
 15 while the house is in order shall not do any of the
 16 following in the chamber while the house is in
 17 session:
 18 a. ~~Allow any audible signal to be continued to be~~
 19 ~~transmitted to or from a telephonic or electronic~~
 20 ~~device under the person's control.~~
 21 b. ~~Disrupt house deliberations by using a~~
 22 ~~telephonic or electronic device to audibly transmit or~~
 23 ~~receive communications~~ mute any cell phone, computer,
 24 or other electronic device under the person's control.

25 The speaker may remove from the chamber any person
26 acting in violation of this rule.
27 2. A member shall not use a ~~telephonic cell phone~~
28 or other electronic device to audibly transmit or
29 receive communications while recognized by the
30 presiding officer to speak in debate.

Page 4

1 ~~3. The speaker or other presiding officer may have~~
2 ~~the chamber cleared of any person acting in violation~~
3 ~~of this rule.~~

4 Rule 5

5 Rules of Parliamentary Practice

6 The rules of parliamentary practice in Mason's
7 Manual of Legislative Procedure shall govern the house
8 in all cases where they are not inconsistent with the
9 standing rules of the house, ~~or the joint rules of the~~
10 ~~house and senate and house, or customary practice of~~
11 the house.

12 Rule 5A

13 House Budget

14 The speaker of the house shall annually prepare a
15 proposed budget for the house of representatives for
16 the payment of expenses, salaries, per diems, and
17 other items. The proposed budget shall be submitted
18 on the fourteenth day of each legislative session to
19 the house ~~administration and rules committee in charge~~
20 ~~of administration~~, which shall approve a proposed
21 budget in house resolution form ~~within thirty days of~~
22 ~~receiving the proposed budget from the speaker.~~ The
23 house shall adopt a budget ~~within thirty days of the~~
24 ~~introduction of the house resolution prior to~~
25 adjournment.

26 Rule 6

27 The Speaker Pro Tempore

28 The house shall, at its pleasure, elect a speaker
29 pro tempore. When the speaker shall for any cause be
30 absent, the speaker pro tempore shall preside, except

Page 5

1 when the chair is filled by appointment by either the
2 speaker or the speaker pro tempore. If a vacancy
3 occurs in the office of speaker, the speaker pro
4 tempore shall assume the duties and responsibilities
5 of the speaker until such time as the house shall
6 elect a new speaker. The speaker or the speaker pro
7 tempore shall have the right to name any member to
8 perform the duties of speaker, but such substitution
9 shall not extend beyond the adjournment. The acts of
10 the speaker pro tempore shall have the same validity

11 as those of the speaker. In the absence of both the
 12 speaker and the speaker pro tempore, the house shall
 13 name a speaker who shall preside over it and perform
 14 all the duties of the speaker with the exception of
 15 signing bills, until such time as the speaker or
 16 speaker pro tempore shall be present, and the person's
 17 acts shall have the same force and validity as those
 18 of the regularly elected speaker.

19 Rule 7

20 Amendment and Suspension of Rules

21 A motion to change or rescind a standing rule or
 22 order of the house requires one day's notice. ~~A~~
 23 ~~motion to suspend a rule, or to table or take from the~~
 24 ~~table a matter, requires an affirmative vote of a~~
 25 ~~constitutional majority. Postponing or changing the~~
 26 ~~order of business requires an affirmative vote of a~~
 27 ~~constitutional majority.~~

28 Rule 8

29 Violation of House Rules

30 The speaker shall, or any member may, call to order

Page 6

1 a member who ~~transgresses~~ violates the rules of the
 2 house. With leave of the house, the member called to
 3 order may be permitted to explain. If the case
 4 requires it, the member shall be subject to censure of
 5 the house.

6 Rule 9

7 Referral of Rule Violations

8 The speaker shall, upon complaint of a member, or
 9 upon the speaker's own motion, refer any alleged
 10 violation of house or joint rules by house members,
 11 employees or staff to the house ethics committee upon
 12 an initial finding that an investigation is warranted.
 13 The ethics committee shall investigate such
 14 allegations and report them back to the house with a
 15 recommendation.

16 Rule 10

17 Recognition and Decorum in Debate

18 A member who wishes to speak in debate ~~or deliver~~
 19 ~~any matter to the house~~ shall be appropriately
 20 attired, with male members wearing coat or tie, ~~and,~~
 21 ~~after,~~ After recognition by the chair, a member shall
 22 respectfully address the presiding officer by saying
 23 "Mr. or Madam Speaker", ~~A member shall confine all~~
 24 remarks to the question under debate, shall be
 25 respectful of other members, and shall avoid
 26 personalities referencing or questioning the motives
 27 of another member.

28 Rule 11

29 Limit on Debate

30 No member shall speak more than once on the same

Page 7

1 question, without leave of the speaker, nor more than
2 twice until every member choosing to speak has spoken,
3 except as provided in Rule 81. A member shall be
4 limited to ten minutes debate on ~~a bill being~~
5 ~~considered prior to its last reading bills,~~
6 resolutions, and amendments, but may be granted an
7 extension of time by consent of the house. However,
8 the floor manager of a bill or resolution and the lead
9 sponsor of an amendment may exceed the ten-minute
10 limit on opening and closing remarks.

11 Rule 12

12 Decorum During Debate

13 No member shall leave the house while the speaker
14 is putting a question. No one shall pass between the
15 speaker and a member who is speaking or two members
16 who have been recognized by the speaker.

17 Rule 13

18 Stating the Question

19 When a motion is made, it shall be stated by the
20 speaker. A motion made in writing shall be passed to
21 the ~~desk~~ speaker's station before it is debated.

22 Rule 14

23 Putting the Question

24 Questions shall be distinctly put in this form:
25 "All those in favor of (the question) shall say
26 'aye';" and after the affirmative voice is expressed,
27 "All those opposed to (the question) shall say 'no'."
28 If the speaker is in doubt or a member of the house
29 requests, a nonrecord roll call vote shall be taken.

30 DIVISION II - EMPLOYEES OF THE HOUSE

Page 8

1 Rule 15

2 Chief Clerk of the House

3 The chief clerk of the house shall serve as
4 parliamentarian and chief administrative officer of
5 the house under the direction of the speaker of the
6 house. The chief clerk shall supervise the chief
7 clerk's office; be responsible for the custody and
8 safekeeping of all bills, resolutions, and amendments
9 filed, except when they are in the custody of a
10 committee; have charge of the daily journal; have
11 control of all rooms assigned for the use of the
12 house; attest to the accuracy and correctness of text
13 and action on bills and resolutions; process the
14 handling of amendments when filed and during the floor
15 consideration of bills; insert adopted amendments into

16 bills before transmittal to the senate and prior to
 17 final enrollment; supervise legislative printing and
 18 the distribution of printed material; and perform all
 19 other duties pertaining to the office of the chief
 20 clerk.

21 Rule 16

22 ~~Reserved~~

23 Legislative and Session Days

24 For purposes of these rules, a legislative day is a
 25 day when the house is called to order. A legislative
 26 day that runs past midnight is not considered a new
 27 legislative day. A session day is any calendar day
 28 beginning with the convening of the annual regular
 29 session and ending with adjournment sine die.

30 Rule 17

Page 9

1 Sergeant-At-Arms

2 The sergeant-at-arms shall execute all orders of
 3 the house and the presiding officer; perform all
 4 assigned duties related to the policing and good order
 5 of the house; supervise the entrance and exit of all
 6 persons to and from the chamber; promptly execute all
 7 messages, etc.; provide that the chamber is properly
 8 ventilated and open for the use of the members; and
 9 perform all other services pertaining to the office of
 10 sergeant-at-arms.

11 Rule 18

12 Secretaries

13 ~~All secretaries of the house~~ Each member may hire a
 14 secretary for the legislative session who shall be
 15 under the general direction of the ~~speaker member~~ and
 16 the chief clerk. Secretaries shall be on duty at the
 17 house from ~~8:30~~ 8:00 a.m. to 4:30 p.m. Monday through
 18 Thursday and on other legislative days when required
 19 by the chief clerk, except when excused by the member
 20 to for whom the secretary is assigned works.

21 Secretaries shall perform such ~~additional~~ duties as
 22 may be assigned to them by the member or the chief
 23 clerk.

24 Rule 19

25 Extra Compensation of Employees

26 No employee shall receive any extra compensation,
 27 except as provided by the house, or tips for services
 28 performed while on duty. Any violation of this rule
 29 shall be grounds for removal.

30 DIVISION III – VISITORS AND LOBBYISTS

Page 10

1 Rule 20

2 Admission to the House; Lobbying
3 The chamber of the house shall include the
4 vestibule, restrooms, ~~cloak room, bill room,~~ lounge,
5 visitors' galleries, and floor of the house.
6 The floor of the house shall consist of ~~that the~~
7 area between the north and south walls, including the
8 representatives' desks, the press box, and the
9 speaker's station, and the south wall behind the last
10 row of desks occupied by representatives, but
11 excluding the visitors' galleries.
12 During a legislative day while the house is in
13 ~~session order~~, and one-half hour before the house
14 convenes and one-half hour after the house recesses or
15 adjourns, no person shall be admitted to the floor of
16 the house except:
17 1. Members of the general assembly and authorized
18 house legislative employees in the performance of
19 their duties.
20 2. Former members of the general assembly who are
21 not registered lobbyists.
22 3. A general assembly member's family.
23 4. Representatives of the press, radio, and
24 television who shall go directly to and from the press
25 box.
26 5. Legislative interns approved by registered with
27 the chief clerk who shall go directly to and from the
28 seat of their assigned representative or to be seated
29 in the perimeter seating area.
30 6. ~~Chair, co chair, and the executive secretary~~

Page 11

1 Designated representatives of a political party having
2 members serving in the general assembly house.
3 ~~7. Personnel of the legislative services agency~~
4 ~~and citizens' aide/ombudsman's office.~~
5 ~~8. 7. The governor's executive assistants and~~
6 ~~administrative assistants, members~~ Members of the
7 state executive council, the lieutenant governor, the
8 attorney general, the governor's executive assistants
9 and administrative assistants, and the administrative
10 rules coordinator, all of whom shall be confined to
11 the perimeter area.
12 The current status of former members of the general
13 assembly shall govern their access to the floor under
14 these rules.
15 No other persons shall be allowed on the house
16 floor while the house is in order without permission
17 of the presiding officer of the house. When the house
18 is not in order, guests of a member of the general
19 assembly escorted by that member shall be allowed on
20 the house floor.

21 No person admitted to the floor of the house while
 22 the house is in order, except members of the general
 23 assembly, shall, ~~while the house is in session~~, lobby
 24 or attempt to exercise any influence with any member
 25 for or against any matter then pending or that may
 26 thereafter be considered by the house.
 27 ~~Notwithstanding the provisions of this rule~~
 28 ~~regarding admission to the floor of the house, a~~ A
 29 registered lobbyist shall not be admitted to the floor
 30 of the house on any legislative day ~~when the house is~~

Page 12

1 ~~in session or committees are scheduled to meet from~~
 2 ~~one half hour before the house convenes or 9:00 a.m.,~~
 3 ~~whichever is earlier, until one half hour after the~~
 4 ~~house adjourns or until 4:30 p.m., whichever is later,~~
 5 except for ceremonial purposes. A registered lobbyist
 6 or other person may be admitted to the house when the
 7 house is not in session to gain access to a committee
 8 ~~room.~~
 9 Each lobbyist shall be given a copy of this rule
 10 ~~when the lobbyist registers.~~
 11 Each member, employee of the house, and registered
 12 lobbyist shall report violations of this rule
 13 immediately to the sergeant-at-arms.
 14 Any person for cause may be summarily dismissed
 15 from the chamber of the house, by action of the house,
 16 and ~~shall~~ may forfeit that person's right to admission
 17 thereafter.

18 Rule 20A

19 Legislative Interns

20 A member may appoint one or more interns who shall
 21 register with the chief clerk. Only one legislative
 22 intern per member of the house is allowed on the floor
 23 of the house at any one time.

24

25 Rule 21

26 Distribution of Literature

27 No person except a member or employee of the house
 28 of representatives shall generally distribute or cause
 29 to be distributed any pamphlets, material, or other
 30 printed literature, or any other items to the members'

Page 13

1 desks in the house. An employee of the house shall
 2 generally distribute or cause to be distributed such
 3 literature or items only on behalf of the employee's
 4 office or staff. Items which are permissible gifts
 5 under chapter 68B of the Code may be distributed to
 6 the members' desks with the authorization of the chief

7 clerk.

8 All copies of pamphlets, material, or printed
9 literature distributed by a member or employee of the
10 house of representatives shall bear the name of the
11 member or employee's office or staff.

12 Other distributions of pamphlets, material, or
13 other printed literature shall bear their source of
14 origin and be distributed through the legislative post
15 office by completing a form containing a member's or
16 the chief clerk's authorization, with the
17 authorization form attached to one copy of the
18 distribution. The copy with the attached
19 authorization form shall be retained for a reasonable
20 time period by the legislative post office.

21 Rule 22

22 Distribution of Materials

23 Printed by the State

24 A member of the house shall not distribute maps,
25 books, and pamphlets ~~such as, but not limited to, How~~
26 ~~a Bill Becomes Law~~, which have been printed by the
27 state of Iowa and upon which the name of the member of
28 the house has been affixed unless the member has
29 purchased the materials or unless the member has
30 affixed the words "Paid for by the citizens of Iowa

Page 14

1 and distributed by representative (member's name)."

2 DIVISION IV – FORMS AND PROCEDURES

3 FOR BILLS AND OTHER DOCUMENTS

4 Rule 23

5 Documents Signed by the Speaker

6 All acts and joint resolutions shall be signed by
7 the speaker, and all writs, warrants, and subpoenas
8 issued by order of the house, shall be signed by the
9 speaker and attested by the chief clerk. The speaker
10 shall cause certificates of recognition or condolence
11 to be issued by the house which shall be signed by the
12 speaker and the chief clerk.

13 Rule 24

14 Presentation of Petitions

15 All petitions, memorials, and other papers
16 addressed to the house shall be signed by the member
17 and filed with the chief clerk ~~or the chief clerk's~~
18 ~~staff. The receipt of petitions shall be noted in the~~
19 journal and such petitions shall be available in the
20 office of the chief clerk.

21 Rule 25

22 Consideration of Simple and Concurrent Resolutions

23 Action on a simple or concurrent resolution, except
24 a memorial resolution, ~~or a proposition requesting~~
25 ~~information from a state official~~ shall not be taken

26 until one day after the resolution has been placed on
 27 the members' desks. After the resolution is adopted,
 28 the chief clerk shall have the resolution printed in
 29 the compiled journal and shall transmit certified
 30 copies ~~and have the resolution printed in the bound~~

Page 15

1 ~~journal of the resolution as directed. A resolution~~
 2 ~~may be printed in the daily journal upon the approval~~
 3 ~~of the speaker after consultation with the minority~~
 4 ~~leader.~~

5 Rule 26

6 Unanimous Consent Calendar

7 The speaker may, upon the request of three members,
 8 place on a unanimous consent calendar any house
 9 resolution or concurrent resolution which does not
 10 contain an appropriation and which has been laid over
 11 under Rule 25.

12 If such resolution is placed on the unanimous
 13 consent calendar, it may be removed only upon a
 14 written request submitted to the speaker by a member
 15 of the house.

16 If not removed after five legislative days, the
 17 chief clerk shall call up the resolution and without
 18 debate the speaker shall pronounce that it has passed
 19 by unanimous consent.

20 If the resolution is removed from the unanimous
 21 consent calendar, the speaker may again lay the
 22 resolution over under Rule 25, place it on a different
 23 calendar, or refer the resolution to any of the
 24 standing committees of the house.

25 Rule 26A

26 Senate Bills and Resolutions

27 A senate bill or resolution may be referred to a
 28 standing committee or passed on file.

29 Rule 27

30 Forms of Bills and Joint Resolutions

Page 16

1 Every house bill shall be introduced by one or more
 2 members or by any standing or specially authorized
 3 committee of the house, ~~or the administrative rules~~
 4 ~~review committee or interim study committee.~~ All
 5 bills and joint resolutions introduced shall be
 6 prepared by the legislative services agency with
 7 title, enacting clause, text and explanation as
 8 directed by the chief clerk of the house. One copy of
 9 each bill shall be presented in a bill cover with the
 10 number of copies of the bill and the title as directed
 11 by the chief clerk.

12 Rule 28

13 Joint and Nullification Resolutions

14 Joint resolutions shall be framed and treated as
15 bills.

16 A "nullification resolution" is a joint resolution
17 which nullifies all of an administrative rule, or a
18 severable item of an administrative rule adopted
19 pursuant to chapter 17A of the Code. A nullification
20 resolution shall not amend an administrative rule by
21 adding language or by inserting new language in lieu
22 of existing language.

23 A nullification resolution may be introduced by an
24 individual, a standing committee or the administrative
25 rules review committee, and may be referred to a
26 standing committee. A nullification resolution is
27 debatable, but cannot be amended on the floor of the
28 house.

29 Rule 29

30 Time of Introduction of Bills

Page 17

1 No bill or joint resolution under individual
2 sponsorship, other than a nullification resolution,
3 shall be read for the first time after 4:30 p.m. on
4 Friday of the 6th week of the first regular session of
5 the general assembly unless a formal request for
6 drafting the bill has been filed with the legislative
7 services agency before that time.

8 After adjournment of the first regular session,
9 bills may be prefiled at any time before the convening
10 of the second regular session. No bill or joint
11 resolution under individual sponsorship, other than a
12 nullification resolution, shall be read for the first
13 time after 4:30 p.m. on Friday of the second week of
14 the second regular session of the general assembly
15 unless a formal request for drafting the bill has been
16 filed with the legislative services agency before that
17 time.

18 However, bills or joint resolutions sponsored by
19 standing committees or the administrative rules review
20 committee, co-sponsored by the majority and minority
21 floor leaders, or companion bills sponsored by the
22 house majority leader and the senate majority leader
23 may be drafted and introduced at any time permissible
24 under Joint Rule 20. House, concurrent, and
25 nullification resolutions may be introduced at any
26 time.

27 Rule 30

28 Introduction and Reading of Bills

29 All bills and resolutions to be introduced in the
30 house shall be prepared in proper form and filed with

Page 18

1 the chief clerk no later than 4:30 p.m. on the
2 legislative day preceding its introduction.

3 Every bill shall receive two readings but no bill
4 shall receive its first and last readings on the same
5 day.

6 A "reading of a bill" as required by these rules
7 shall consist of a reading of the title and enacting
8 clause ~~unless otherwise demanded by a house member.~~

9 Rule 31

10 First Reading, Commitment, and Amendment

11 ~~31.1.~~ 1. A bill is introduced into the house by
12 an initial or "first reading of the bill".

13 ~~31.2.~~ 2. When the house is in session the first
14 reading shall consist of a "reading" as provided in
15 Rule 30.

16 ~~31.3.~~ 3. Upon a first reading of the bill, the
17 speaker shall state that it is ready for commitment or
18 amendment; and the speaker shall commit it to the
19 standing or select committee, or to a committee of the
20 whole house. If to a committee of the whole house,
21 the house shall determine on what day.

22 ~~31.4.~~ 4. On a nonlegislative day when the house
23 ~~is not in session,~~ the speaker ~~shall~~ may cause a
24 statement, which shall consist of the title, enacting
25 clause, bill number and committee to which the bill is
26 referred, to be published in the house journal. This
27 publication shall constitute a first reading and
28 commitment and shall contain the notation "read and
29 committed under Rule ~~31.4~~" 31".

30 ~~31.5.~~ 5. All amendments offered to bills ~~on file~~

Page 19

1 ~~or on the regular calendar and resolutions~~ shall be
2 accompanied by such copies as the chief clerk shall
3 direct.

4 ~~31.6.~~ 6. Such amendments shall give the number of
5 the bill sought to amend and the chief clerk shall
6 designate each such amendment thus: Amendment to
7 House File _____, or Senate File _____, by
8 _____.

9 ~~31.7.~~ 7. A bill reported out by committee shall
10 go to the speaker who shall direct that the bill be
11 placed on the regular calendar unless it covers
12 subject matter more properly within the jurisdiction
13 of some other standing committee, in which case the
14 speaker shall refer the bill to the proper standing
15 committee. In order to expedite important business
16 and set a definite time for the bill's consideration,
17 the speaker may direct the bill to be placed on the

18 special order calendar.

19 ~~31.8.~~ 8. No amendment to the rules of the house,
20 to any resolution or bill, except technical amendments
21 and amendments to bills substituted for by senate
22 files containing substantially identical title,
23 language, subject matter, purpose and intrasectional
24 arrangement, shall be considered by the membership of
25 the house without a copy of the amendment having been
26 filed with the chief clerk by 4:00 p.m. or within one-
27 half hour of adjournment, whichever is later, on the
28 day preceding floor debate on the amendment. If the
29 house adjourns prior to 2:00 p.m. on Friday, the final
30 deadline is two hours after adjournment. However,

Page 20

1 committee amendments filed pursuant to the submission
2 of the committee report may be accepted after this
3 deadline. This provision shall not apply to any
4 proposal debated on the floor of the house after the
5 fourteenth week of the first session and the twelfth
6 week of the second session. No amendment or amendment
7 to an amendment to a bill, rule of the house, or
8 resolution shall be considered by the membership of
9 the house without a copy of the amendment being on the
10 desks of the entire membership of the house prior to
11 consideration. However, after the fourteenth week of
12 the first session and the twelfth week of the second
13 session, the membership of the house may consider an
14 amendment or an amendment to an amendment to a bill,
15 rule of the house, or resolution without a copy of the
16 amendment being on the desks of the entire membership
17 of the house prior to consideration if a copy of the
18 amendment is made available to the entire membership
19 of the house electronically.

20 Rule 32

21 Commitment of Appropriation and Revenue Bills

22 All bills to appropriate money shall be referred to
23 the appropriations committee, and all bills pertaining
24 to the levy, assessment, or collection of taxes shall
25 be referred to the committee on ways and means.

26 Rule 33

27 Regular Calendar

28 Bills, nullification resolutions, and joint
29 resolutions reported out for passage, ~~or~~ amendment and
30 passage, or without recommendation, by a committee, or

Page 21

1 passed on file shall be arranged on a regular calendar
2 by the chief clerk each day ~~in the order of the file~~
3 ~~number of the bills and following the preceding~~

4 ~~legislative day's regular calendar and electronically~~
 5 ~~distributed to the members at the opening of each~~
 6 ~~legislative day. Priority shall be given to house~~
 7 ~~over senate file numbers and to joint resolutions over~~
 8 ~~bills in the arrangement of the regular calendar. The~~
 9 ~~regular calendar shall include a list of bills,~~
 10 ~~nullification resolutions, and joint resolutions which~~
 11 ~~have been special ordered, including the date upon~~
 12 ~~which debate is scheduled to begin on each of them,~~
 13 ~~which shall be no sooner than five session days from~~
 14 ~~the first date of publication on the regular calendar.~~

15 Rule 34

16 ~~Daily Debate and Special Order Calendars Calendar~~
 17 The majority floor leadership shall cause to be
 18 prepared and distributed to the members at the opening
 19 of each ~~session~~ legislative day when floor action is
 20 scheduled, a daily debate calendar consisting of
 21 bills, nullification resolutions, and joint
 22 resolutions from the regular calendar setting forth
 23 the number and title of bills, nullification
 24 resolutions, and joint resolutions for the next
 25 ~~session~~ legislative day that floor action is
 26 scheduled.
 27 The majority floor leadership shall cause to be
 28 prepared and distributed to the members at the opening
 29 of each session day when floor action is scheduled, a
 30 special order calendar setting forth the number and

Page 22

1 ~~title of bills, nullification resolutions, and joint~~
 2 ~~resolutions and the date upon which debate is~~
 3 ~~scheduled to begin on each of them, which can be no~~
 4 ~~sooner than five session days from the first date of~~
 5 ~~publication on the regular calendar.~~

6 This rule does not apply to bills which have passed
 7 both houses in different forms, reconsiderations, or
 8 veto reconsiderations.

9 Rule 35

10 Noncontroversial Calendar

11 Substitution of Bills

12 The majority floor leadership may cause to be
 13 prepared a noncontroversial calendar consisting of
 14 bills and joint resolutions from the regular calendar.
 15 The noncontroversial calendar shall appear under
 16 separate heading on the regular calendar.
 17 Notwithstanding Rule 34, a bill or joint resolution
 18 on the noncontroversial calendar may be called up for
 19 debate at any time by the majority leader beginning
 20 the third legislative day after it appears on the
 21 noncontroversial calendar. A bill or joint resolution
 22 shall be stricken from the noncontroversial calendar

23 ~~if a written objection to the bill or joint resolution~~
 24 ~~is filed with the chief clerk prior to the time the~~
 25 ~~bill or joint resolution is called up by the majority~~
 26 ~~leader.~~
 27 ~~Debate on a bill or joint resolution from the~~
 28 ~~noncontroversial calendar shall be limited to ten~~
 29 ~~minutes. If debate exceeds ten minutes, the bill or~~
 30 ~~joint resolution shall be stricken from the~~

Page 23

1 ~~noncontroversial calendar.~~
 2 A senate bill or resolution may be substituted for
 3 an identical house bill or resolution which has been
 4 called up for debate. An amendment to a senate bill
 5 or resolution which has been substituted for an
 6 identical house bill or resolution is out of order if
 7 an identical amendment to the house bill or resolution
 8 was considered.

9 Rule 36

10 Consideration of Committee Amendments
 11 After a bill has been referred and reported back,
 12 it shall be considered on its first reading after the
 13 amendments of the committee have been read.

14 Rule 37

15 Amendments to Special Order Bills
 16 All amendments to bills ~~on the~~ which have been
 17 ~~special order calendar ordered~~ shall be filed at least
 18 three session days prior to the date set for debate.
 19 Amendments to an amendment shall be filed at least two
 20 session days prior to the date set for debate.
 21 However, corrective amendments and amendments
 22 sponsored by either the majority floor leader or the
 23 minority floor leader may be filed at any time. Rule
 24 ~~31.8~~ 31, subsection 8, shall not apply to these
 25 amendments.

26 A corrective amendment is an amendment which does
 27 not substantively change the amendment or the bill.

28 Rule 38

29 ~~Irrelevant Amendments~~

30 Germaneness

Page 24

1 ~~No motion or proposition on a subject different~~
 2 ~~from that under consideration shall be admitted under~~
 3 ~~color of an amendment. An amendment must be germane~~
 4 ~~to the subject matter of the bill it seeks to amend.~~
 5 An amendment to an amendment must be germane to both
 6 the amendment and the bill it seeks to amend. When a
 7 member questions the germaneness of an amendment, the
 8 speaker may invite members, who shall include the

9 majority and minority leaders, to the speaker's
 10 station to discuss the objection.
 11 Rule 39
 12 Consideration of Bills
 13 Bills, including committee bills, joint
 14 resolutions, and nullification resolutions, reported
 15 out for passage, ~~for indefinite postponement~~, for
 16 amendment and passage, or without recommendation by
 17 the committee, are first eligible to be acted upon
 18 beginning the third legislative day they appear on the
 19 regular calendar.
 20 ~~The reports of the committees shall not be read~~
 21 ~~while the house is in session except as herein~~
 22 ~~provided. The Committee reports shall be printed in~~
 23 the journal immediately after they are filed with the
 24 chief clerk. Reports recommending bills, joint
 25 resolutions, and nullification resolutions for
 26 passage, for amendment and passage, or without
 27 recommendation shall stand approved unless written
 28 objections are filed during the first legislative day
 29 following their printing in the journal. If
 30 objections are filed, they shall be disposed of as

Page 25

1 soon as possible. ~~Reports recommending indefinite~~
 2 ~~postponement shall be governed by Rule 44.~~
 3 ~~Upon an affirmative vote of at least a~~
 4 ~~constitutional majority of the members, a report may~~
 5 ~~be read before it is printed in the journal and while~~
 6 ~~the house is in session, and acted upon at once.~~
 7 Rule 40
 8 Consideration of Bills Upon Last Reading
 9 No amendment, unless by way of correcting an error
 10 or omission, shall be received to any bill on its last
 11 reading, and no debate shall be allowed on it.
 12 Rule 41
 13 Printing of Bills and Joint Resolutions
 14 Bills and joint resolutions shall be printed in
 15 form as provided by law and by rule. Each house may
 16 direct the printing of an additional number of its own
 17 bills.
 18 Legalizing bills of a local or private nature shall
 19 be printed in bill form and placed in the files of the
 20 members, the same as other bills, in the order of
 21 their introduction. The cost of printing shall be
 22 deposited with the treasurer of state in advance at a
 23 rate to be fixed, and the newspaper publication of the
 24 bill shall be without cost to the state. No
 25 legalizing act may be introduced until all provisions
 26 of law have been complied with.
 27 Rule 42

28 Certification and Engrossment of Bills
29 The chief clerk shall certify the passage of each
30 bill and note the date of its passage.

Page 26

1 In engrossing a bill, the chief clerk shall correct
2 all obvious typographical, spelling, or other clerical
3 errors and change section subunit numbers and letters
4 and internal references as required to conform the
5 original bill to any amendments which have been
6 adopted. The chief clerk shall report all such
7 corrections or changes in the journal. The engrossed
8 bill shall be placed in the bill file with the
9 original bill and amendments.

10 Rule 43

11 Rereferral

12 A bill may be rereferred by the speaker or, upon
13 motion, by the house at any time before its passage
14 and after the report of its referral to committee.

15 Rule 44

16 Effect of Indefinite Postponement

17 When a question is indefinitely postponed, it shall
18 not be acted upon again during that session. ~~Any bill~~
19 ~~which receives a committee recommendation of~~
20 ~~indefinite postponement shall be disposed of within~~
21 ~~three legislative days after the printed journal~~
22 ~~containing the report has been placed upon the desks~~
23 ~~of the members of the house, or the committee~~
24 ~~recommendation will be considered adopted.~~

25 Rule 45

26 Status of Bills Following

27 First Regular Session

28 Except for those bills which have been adopted by
29 both houses in different forms, all bills which have
30 not been withdrawn, defeated or indefinitely

Page 27

1 postponed, shall be rereferred to committee upon
2 adjournment of the first regular session. Within
3 seven days after the first committee meeting following
4 convening of the second regular session, the committee
5 chair shall submit the bill to the full committee for
6 action or the chair shall reassign the bill to a
7 subcommittee.

8 DIVISION V – COMMITTEE PROCEDURES

9 Rule 46

10 Appointment of Committees

11 All committees shall be appointed by the speaker,
12 unless otherwise especially directed by the house.
13 Minority party members of a committee shall be

14 appointed by the speaker upon recommendation of the
 15 minority leader.

16 Rule 47

17 Order on Question of Commitment

18 Reserved

19 ~~When A resolution is offered or a motion made to~~
 20 ~~refer any subject, and different committees are~~
 21 ~~proposed, the question shall be taken in the following~~
 22 ~~order: The committee of the whole house; a standing~~
 23 ~~committee; a select committee.~~

24 Rule 48

25 Study Bills

26 A study bill is any matter which a member of the
 27 house wishes to have considered by a standing
 28 committee, other than appropriations, ~~and which has~~
 29 ~~not been included in a previously introduced bill~~
 30 without being introduced in the house by a first

Page 28

1 reading. A study bill shall be prepared in proper
 2 form by the legislative services agency prior to
 3 submission.

4 PARAGRAPH DIVIDED. Upon taking possession of a
 5 study bill, the committee chair shall notify the
 6 speaker and then submit ~~fifteen~~ four copies of the
 7 bill to the legal counsel's office for numbering.

8 A study bill shall bear the name of the member who
 9 wishes to have the bill considered. A study bill
 10 submitted by a state agency or board for consideration
 11 shall bear the name of the state agency or board. A
 12 committee chair may submit a study bill in the name of
 13 that committee.

14 Final committee action on a study bill shall not be
 15 taken until one day following the notation of the
 16 study bill assignment in the house journal.

17 ~~A study bill not prepared by the legislative~~
 18 ~~services agency may be submitted to a standing~~
 19 ~~committee, but shall not be considered by the full~~
 20 ~~committee unless reviewed and prepared in proper form~~
 21 ~~by the legislative services agency.~~

22 Rule 49

23 Committee Meetings

24 No committee, except a conference committee or the
 25 administrative rules review committee, shall meet
 26 while the house is in session without special leave.
 27 ~~Two committees~~ Committees with overlapping memberships
 28 shall not meet at the same time without special leave.

29 Rule 50

30 Smoking Prohibited

Page 29

1 Smoking shall not be permitted in the house or in
2 any area of the capitol building ~~controlled by the~~
3 ~~house or controlled jointly by the house and senate.~~

4 Rule 50A

5 Nondegradable Polystyrene Cups

6 The use of nondegradable polystyrene cups shall not
7 be permitted on the floor of the house, ~~at the~~
8 ~~speaker's station, or in the press boxes.~~

9 Rule 51

10 Assignments to Subcommittee

11 The chair of the committee shall report to the
12 house the bill number of each bill assigned to
13 subcommittee and the names of the subcommittee
14 members. The report shall be printed in the journal.

15 All bills, prior to consideration by the committee,
16 shall be referred by the chair to a subcommittee,
17 unless acted upon by a committee of the whole.

18 The chair may assign bills to subcommittees without
19 a meeting of the committee, but the membership of the
20 subcommittee so appointed shall be reported at the
21 next meeting of the committee.

22 Rule 52

23 Open Meetings

24 Standing committee meetings shall be open, and
25 voting by secret ballot is prohibited. The committee
26 on administration and rules may close its meetings to
27 evaluate the professional competency of an individual
28 whose appointment, hiring, performance, or discharge
29 is being considered when necessary to prevent needless
30 and irreparable injury to that individual's reputation

Page 30

1 on the request of the affected individual.

2 Rule 53

3 Quorum and Vote Requirements

4 The committee roll shall be taken at the convening
5 of each meeting to determine the presence of a quorum.
6 A majority of the committee membership shall
7 constitute a quorum.

8 An affirmative vote of a majority of the committee
9 membership is required to report a bill out of
10 committee or to suspend a committee rule.

11 A motion to reconsider may be made only by a
12 committee member who voted on the prevailing side of
13 the question sought to be reconsidered. A motion to
14 reconsider may only be made ~~provided prior to the~~
15 adjournment of the committee meeting at which the bill
16 is still in possession of the committee was reported
17 out.

18 If a member, who is in the committee room when a
 19 question to report a bill out of committee is put, has
 20 not asked to be excused prior to commencing to take
 21 the vote on the question, the member shall vote aye or
 22 nay unless the committee has excused the member for
 23 special reasons. However, a member may pass on the
 24 first taking of the roll call on the question but
 25 shall vote aye or nay when the member's name is called
 26 for a second time.

27 Rule 54

28 Committee Attendance Record and Report
 29 of Committee Form

30 1. A committee attendance record shall be filed

Page 31

1 with the chief clerk no later than 10:00 a.m. or two
 2 hours after the house convenes, whichever is later, of
 3 the legislative day immediately following the day of
 4 the committee meeting. The committee attendance
 5 record is a public record and may be published in the
 6 journal. The committee attendance record shall
 7 include the following information:

- 8 a. The time the meeting convened.
- 9 b. The members present at the meeting.
- 10 c. The time the meeting adjourned.
- 11 d. A list of bills receiving final committee
 12 disposition.

13 2. A report of committee form shall be filed with
 14 the chief clerk no later than 10:00 a.m. or two hours
 15 after the house convenes, whichever is later, of the
 16 legislative day immediately following the day of the
 17 committee meeting for each study bill, numbered bill
 18 or resolution receiving final committee disposition.
 19 The report of committee form is a public record and a
 20 report of committee action shall be printed in the
 21 journal. The report of committee form shall include
 22 the following information:

- 23 a. The committee action taken.
 - 24 b. The committee amendment number, if any.
 - 25 c. The roll call vote of the committee on final
 26 disposition.
 - 27 d. The minority recommendation, if any.
- 28 3. Upon final adjournment of the first session and
 29 final adjournment of the second session of the general
 30 assembly, the chair of each committee shall have

Page 32

1 placed the committee's book of record containing
 2 minutes, record roll calls on final disposition,
 3 record roll call votes on any amendments considered,

4 rules, etc., with the chief clerk for access of any
5 interested person.

6 Rule 55

7 Minority Recommendation

8 The minority of the members of a committee may
9 present its recommendations on the final disposition
10 of a bill to the house by attaching its recommendation
11 to the committee report ~~and the same shall be printed.~~
12 The minority recommendation shall be noted in the
13 journal along with the committee report.

14 Rule 56

15 Committee Amendment

16 Whenever a committee amendment is proposed which
17 would amend another committee amendment, the amendment
18 shall be drafted in the form of a substitute amendment
19 and shall be considered as such.

20 Rule 57

21 Committee Notice and Agenda

22 Each committee shall prepare and publish a notice
23 and agenda of each committee meeting at least one
24 legislative day prior to the meeting. The notice and
25 agenda may be placed on the desks of or transmitted
26 electronically to committee members.

27 The notice shall contain the committee name, the
28 date, time, and location of the meeting.

29 The agenda shall contain the matters to be
30 discussed, including a list of bills, joint

Page 33

1 resolutions, nullification resolutions, and study
2 bills by number. The agenda should contain the names
3 of individuals who are scheduled to appear before the
4 committee and the organization which they represent.

5 A bill, joint resolution, nullification resolution,
6 or study bill shall not be reported out of committee
7 if the bill was not included in the published notice
8 and agenda unless this rule is suspended by a majority
9 of the total membership of the committee.

10 A committee chair may call a meeting without
11 providing the required notice and agenda upon leave of
12 the house if a notice is either electronically
13 transmitted to committee members ~~and placed on the~~
14 ~~bulletin board~~ or placed on the desks of committee
15 members.

16 Rule 58

17 Clearing of Committee Room

18 The chair of a committee may clear the committee
19 room in case of any disturbance or disorderly conduct.

20 Rule 58A

21 Use of Telephonic or Electronic Devices
22 in Committee Rooms Restricted

23 1. ~~In order to prevent the disruption of committee~~
 24 ~~deliberations, a person shall not do any of the~~
 25 ~~following in~~ any committee room while a standing
 26 committee is in session:
 27 a. ~~Allow any audible signal to be continued to be~~
 28 ~~transmitted to or from a telephonic or~~ A person shall
 29 mute any cell phone, computer, or other electronic
 30 device under the person's control.

Page 34

1 b. ~~Use a telephonic or~~ A person shall not use a
 2 cell phone or other electronic device to audibly
 3 transmit or receive communications.

4 2. The chair or acting chair of a standing
 5 committee may clear the committee room of any person
 6 acting in violation of this rule.

7 Rule 59

8 Committee Amendments

9 All amendments to a bill or resolution adopted in
 10 committee shall be incorporated in a single committee
 11 amendment or incorporated in a new committee bill.

12 Rule 60

13 Withdrawal of Bills, Joint Resolutions,

14 or Nullification Resolutions

15 From Committee

16 A bill, joint resolution, or nullification
 17 resolution which has been in committee for eighteen
 18 legislative days following notation of such referral
 19 in the journal may be withdrawn from the committee and
 20 placed on the calendar by an affirmative vote of not
 21 less than fifty-one members of the house.

22 Rule 61

23 Committee Public Hearings

24 The chair of a committee may call a public hearing
 25 for the purpose of receiving public comment on any
 26 matter within the purview of the committee.

27 The chair shall call a public hearing upon the
 28 written request of committee members according to
 29 committee rules, but no more than one-third of the
 30 committee members shall be required.

Page 35

1 A public hearing shall not be called or requested
 2 after final action on the bill, joint resolution, or
 3 nullification resolution has been taken by the
 4 committee. However, a public hearing called or
 5 requested before final action has been taken by the
 6 committee may be held after final action on the bill,
 7 joint resolution, or nullification resolution has been
 8 taken by the committee.

9 The chair shall designate a time and place for a
10 public hearing and provide public notice at least five
11 days prior to a public hearing.
12 A bill, joint resolution, or nullification
13 resolution for which a public hearing has been called
14 can be voted to the calendar but cannot be debated
15 until after the public hearing has been held.
16 However, public hearings which have been requested
17 during or after the 9th week of the first session and
18 during or after the 7th week of the second session
19 must be held within four legislative days of the date
20 of the request.

21 Rule 62
22 Limitation on Filing of Claims
23 All claims shall be referred to the appropriations
24 committee. A claim ~~or claim bill, the subject matter~~
25 ~~of which has been considered or filed for~~
26 ~~consideration in the house or any of its committees,~~
27 ~~in two or more prior sessions of the general assembly,~~
28 referred to the appropriations committee in a prior
29 session of the general assembly shall not be
30 considered by ~~any~~ the appropriations committee or by

Page 36

1 the house unless it has been specifically referred to
2 this session by a ~~prior general assembly~~ vote of the
3 appropriations committee. The appropriations
4 ~~committee on appropriations~~ is authorized to set a
5 definite date each session after which it will not
6 receive claims or claim bills for consideration.
7 DIVISION VI – COMMITTEE OF THE WHOLE
8 Rule 63
9 Organization of Committee of the Whole
10 In forming the committee of the whole house, the
11 speaker shall appoint a member to preside in committee
12 and then leave the chair.
13 Rule 64
14 Rules in Committee of the Whole
15 The rules of the house shall be observed in
16 committee of the whole house, so far as they are
17 applicable.
18 Rule 65
19 Bills in Committee of the Whole
20 Bills committed to the committee of the whole house
21 shall first be ~~read in their entirety by the chief~~
22 ~~clerk or chair and then read again or debated by~~
23 ~~section, leaving the preamble to be considered last.~~
24 After the report of the committee of the whole, the
25 bill shall again be subject to debate and amendment
26 before a vote is had on its last reading and passage.
27 Rule 66

28 Amendments by Committee of the Whole
 29 All amendments made to a report committed to a
 30 committee of the whole house shall be noted and

Page 37

1 reported as in the case of bills.

2 DIVISION VII – MOTIONS

3 Rule 67

4 Order and Precedence of Motions

5 The following order ~~and precedence~~ of motions,
 6 listed in order of precedence, shall govern when a
 7 question is under debate:

8 ~~11.~~ 1. Adjourn.

9 ~~10.~~ 2. Recess.

10 ~~9.~~ 3. Questions of privilege.

11 ~~8.~~ 4. Lay on the table.

12 ~~7.~~ 5. Previous question.

13 6. Limit debate.

14 ~~6.~~ 7. Postpone definitely or to a certain time.

15 ~~5.~~ 8. Refer or ~~commit~~ rerefer.

16 ~~4.~~ 9. Defer.

17 ~~3.~~ 10. Amend an amendment.

18 ~~2.~~ 11. Amend.

19 ~~1.~~ 12. Postpone indefinitely.

20 ~~These motions are listed in descending order of~~
 21 ~~precedence.~~

22 A motion to postpone definitely or to a certain time, to
 23 refer or commit, or to postpone indefinitely a particular
 24 question shall not be considered more than once on the same day.

25 Adoption of a motion to strike the enacting words is equivalent
 26 to rejection of the question.

27 Rule 68

28 Order of Consideration of Amendments

29 Amendments shall be considered by earliest position
 30 in the bill. Amendments to the same place in the bill

Page 38

1 shall be considered by the lowest amendment number.

2 An amendment which inserts language after a line and
 3 an amendment which inserts language before the
 4 succeeding line shall be considered amendments to the
 5 same place in the bill.

6 However, an amendment to strike the enacting clause
 7 shall always be considered first. An amendment filed
 8 by a committee shall have the next highest order of
 9 priority, followed by an amendment to strike

10 everything after the enacting clause and insert new
 11 language. An amendment to strike language or to
 12 strike and insert new language, except an amendment to
 13 strike everything after the enacting clause and insert

14 new language, shall not be considered before
15 amendments to perfect all or part of the same portion
16 of the bill.

17 Rule 69

18 Motions Not Debatable

19 ~~The motions to lay on the table, to adjourn, to~~
20 ~~adjourn to a time certain, for the previous question,~~
21 ~~to defer, to rerefer, and appeals of a ruling of the~~
22 ~~presiding officer shall be decided without debate.~~

23 The following motions are not debatable:

24 1. Adjourn.

25 2. Adjourn to a certain time.

26 3. Suspend house rules.

27 4. Previous question.

28 5. Close debate at a certain time.

29 6. Recess.

30 7. Defer.

Page 39

1 8. Refer or rerefer.

2 9. Lay on the table.

3 10. Take from the table.

4 11. Call of the house.

5 12. Withdraw a bill or resolution from committee.

6 13. Appeal a decision of the chair.

7 14. Immediately message a bill or resolution.

8 Rule 69A

9 Constitutional Majority

10 1. The following motions require a constitutional
11 majority for approval:

12 a. Final passage of a bill, joint resolution, or
13 nullification resolution.

14 b. Lay on the table.

15 c. Take from the table.

16 d. Suspend house rules.

17 e. Previous question.

18 f. Withdraw a bill or resolution from committee.

19 g. Reconsider a bill, joint resolution, or

20 nullification resolution.

21 h. Immediately message a bill or resolution.

22 2. A division must be taken on any motion which
23 requires a constitutional majority.

24 Rule 70

25 Motion to Adjourn

26 A motion to adjourn shall always be in order,
27 except when a member is speaking or the house is
28 voting.

29 Rule 71

30 Withdrawal of Motions

Page 40

1 After a motion is stated by the speaker, or read by
2 the chief clerk, it shall be deemed to be in
3 possession of the house, but may be withdrawn by leave
4 of the house.

5 Rule 72

6 ~~Referral and Rereferral~~

7 Unanimous Consent

8 ~~Motions and reports may be referred and rereferred~~
9 ~~at the pleasure of the house.~~

10 Unanimous consent of the members may be asked for
11 suspension of any rule of the house. If there is no
12 objection to the request, the rule shall be considered
13 suspended.

14 Rule 73

15 Reconsideration

16 1. A motion to reconsider may be made only by a
17 member who voted on the prevailing side of the
18 question sought to be reconsidered.

19 2. A motion to reconsider may be made not later
20 than adjournment on the legislative day following the
21 legislative day of the action sought to be
22 reconsidered. Where the floor manager voted on the
23 prevailing side, the floor manager has the prior right
24 to make the motion, until adjournment on the
25 legislative day of the action sought to be
26 reconsidered. A motion to reconsider a nullification
27 resolution shall be acted upon not later than
28 adjournment on the legislative day following the
29 legislative day of the action sought to be
30 reconsidered.

Page 41

1 3. A motion to reconsider made ~~following the~~
2 ~~ninety seventh calendar day beginning the fifteenth~~
3 ~~week~~ of the first regular session, or the
4 ~~eighty seventh calendar day thirteenth week~~ of the
5 second regular session, may be taken up when made. A
6 motion made at any other time may be taken up prior to
7 the third legislative day succeeding the legislative
8 day of the action sought to be reconsidered only if
9 called up by the mover, and after the second
10 legislative day succeeding the legislative day of the
11 action sought to be reconsidered if called up by any
12 member.

13 4. The making of a motion to reconsider takes
14 precedence over all other questions.

15 5. ~~No motion to reconsider passage, adoption or~~
16 ~~failure of any bill, nullification resolution or joint~~
17 ~~resolution shall prevail unless it obtains a~~

18 ~~constitutional majority.~~ When passage, adoption, or
19 failure of any bill, joint resolution, or
20 nullification resolution is reconsidered, questions on
21 amendments may also be reconsidered and shall be
22 disposed of immediately.

23 ~~6. A motion that the motion to reconsider be laid~~
24 ~~on the table is in order. The effect of laying the~~
25 ~~motion to reconsider on the table is to cause the bill~~
26 ~~or joint resolution to proceed on its regular course~~
27 ~~immediately.~~

28 ~~7. 6.~~ In the event that a motion to reconsider is
29 pending at the end of the first session or any
30 extraordinary session of any general assembly, or the

Page 42

1 general assembly adjourns sine die, and the motion to
2 reconsider has not been voted upon by the house, the
3 motion shall be determined to have failed.

4 DIVISION VIII – VOTING

5 Rule 74

6 Manner of Voting

7 Members present may cast their votes, either by
8 operating the voting mechanism located at their
9 assigned desk or by signaling the speaker from the
10 floor of the house or from the south visitors' gallery
11 if they are unable to vote at their assigned desk.

12 The speaker shall ~~enter~~ announce the votes of members
13 signaling their votes. Upon direction of the speaker
14 ~~or upon request of two members during the taking of~~
15 ~~the vote of the house on any question,~~ only those
16 members at their desks and voting shall be counted.
17 Members who are not present shall not cast their votes
18 except:

19 1. Members who have not voted may record their
20 votes on any record roll call vote except quorum calls
21 within ten minutes after the outcome of the vote has
22 been announced, ~~providing the vote does not change the~~
23 ~~outcome of the vote on that question. Members shall~~
24 initial their recorded votes on a copy of the record
25 roll call at the speaker's station. However, if the
26 aggregate of votes cast under this rule would change
27 the outcome of the vote on a question, then none of
28 the votes cast on the question under this rule shall
29 be recorded. A member may request announcement of the
30 names of members so recorded after the ten-minute

Page 43

1 period.

2 2. Members meeting in a conference committee or in
3 administrative rules review committee at the time a

4 vote is taken on a question may have their vote
 5 recorded within thirty minutes or adjournment,
 6 whichever is first, of that same legislative day,
 7 ~~providing the vote provided the aggregate of votes~~
 8 ~~cast~~ does not change the outcome of the vote on ~~that~~ a
 9 question.

10 Rule 75

11 Duty of Voting

12 Except as limited in Rule ~~74~~ 76, every member who
 13 is in the house when a question is put shall vote
 14 unless the house has excused that member from voting
 15 for special reasons; however, such member must have
 16 asked to be excused from voting prior to ~~commencing to~~
 17 ~~take the vote on the main~~ the time the speaker puts
 18 the question.

19 Rule 76

20 Limitation on Right to Vote

21 No member shall vote on any question in which ~~that~~
 22 ~~person is financially interested~~ the member or the
 23 member's immediate family member, as defined in
 24 chapter 68B of the Code, has a direct financial
 25 interest different from other similarly situated
 26 persons or classes of persons of the general public.

27 Rule 77

28 Call of the House

29 Upon written request of five members, the presiding
 30 officer shall compel attendance of absent and

Page 44

1 unexcused members for the consideration of specified
 2 bills, ~~or~~ resolutions, or amendments.
 3 A call of the house shall specify the propositions
 4 to which it is to apply; and must be put into effect
 5 before roll call is taken on the proposition. The
 6 request may be filed with the chief clerk at any time
 7 before final action upon the propositions ~~with the~~
 8 ~~chief clerk~~, who shall notify the house immediately.

9 Rule 78

10 Method of Calling the House

11 Upon a call of the house, the names of the members
 12 shall be called by the chief clerk and the absentees
 13 noted, after which the names of the absentees shall
 14 again be called. The sergeant-at-arms shall be
 15 directed by the speaker to compel the attendance of
 16 absent members, unless they are previously excused.
 17 Any member occupying the member's seat during a call
 18 of the house shall be counted by the speaker and that
 19 person's name entered in the journal as being present
 20 for the purpose of making a quorum.

21 Rule 79

22 Method of Calling the Roll

23 The electrical voting machine shall be used for a
24 call of the house, a quorum call or a roll call vote
25 on any question. If the electrical voting machine is
26 not in operating order when it is necessary to take a
27 record roll call vote, the presiding officer shall
28 order the vote to be taken by calling the roll in
29 alphabetical order, except the name of the presiding
30 officer shall be called last.

Page 45

1 During the casting of the vote with the voting
2 machine, the individual votes and the vote totals
3 shall be shown on the display boards. Before the
4 voting machine is closed, the presiding officer shall
5 inquire of the house, "Have you all voted?"

6 Rule 80

7 Quorum and Record Roll Call Votes

8 A majority of the members shall constitute a
9 quorum.

10 A record roll call vote shall be ordered upon
11 request of any two members. The names of the members
12 requesting the record roll call shall be entered in
13 the journal.

14 Rule 81

15 Previous Question

16 When a member moves for a ~~the~~ previous question,
17 ~~that the~~ member shall state whether the motion will
18 apply to the main question, to all the amendments, or
19 to particular amendments. The motion requires an
20 affirmative vote of at least a constitutional majority
21 of the members. If the motion for a previous question
22 is not adopted, the house shall proceed in the same
23 manner as before the motion was made.

24 If the motion is adopted, all debate must end and
25 the house will vote upon the question except:

26 1. If the motion applies to the main question, the
27 member in charge of the measure will have ten minutes
28 to speak for the purpose of closing discussion before
29 the vote on the measure is taken.

30 2. If the motion applies to an amendment, the

Page 46

1 member proposing the amendment will have five minutes
2 to speak for the purpose of closing discussion before
3 the vote on the amendment is taken.

4 3. If a member has filed a written request with
5 the chief clerk of the house indicating the member's
6 desire to speak on a particular question. The request
7 must be filed before the motion is made by the movant.
8 The request allows a member to speak on a particular

9 question before the closing discussion by the member
 10 who is in charge of the measure or who is proposing
 11 the amendment.

12 Rule 82

13 Division of the Question

14 Any member may call for a division of the question,
 15 which shall be divided if it comprehends questions so
 16 distinct that one being taken away, the remainder may
 17 stand separately for discussion by the house. A
 18 ~~motion~~ Upon request to divide an amendment, the chief
 19 clerk shall restate the division and note the divided
 20 amendment in the house journal. An amendment to
 21 strike out being lost shall not preclude either an
 22 amendment or a motion to strike out and insert. A
 23 motion An amendment to strike out and insert shall be
 24 deemed indivisible.

The motion prevailed and the resolution was adopted.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARK W. BRANDSGARD
 Chief Clerk of the House

- 2009\1545 Roger and Judy Krutsinger, Chariton – For celebrating their 50th wedding anniversary.
- 2009\1546 Merrian and Beverly Westman, Russell – For celebrating their 50th wedding anniversary.
- 2009\1547 Fred and Mary Lou Illingworth, Russell – For celebrating their 50th wedding anniversary.
- 2009\1548 Jay Fisher, Chariton – For celebrating his 70th birthday.
- 2009\1549 Keith Fetters, Chariton – For celebrating his 90th birthday.
- 2009\1550 Loris Thomas, Chariton – For celebrating his 80th birthday.
- 2009\1551 Kelsey Keizer, Okoboji – For recognition for being named as an ESPN The Magazine academic all-District VII women's basketball first-team selection.
- 2009\1552 Tom Olson, Calamus – For being inducted into the Iowa Auctioneers Association Hall of Fame.

- 2009\1553 Mary Rueter, DeWitt – For receiving the Iowa Newspaper Association's Distinguished Service Award.
- 2009\1554 Susie Kelly, Davenport – For celebrating her 103rd birthday.
- 2009\1555 Rudy and Maxine Peterson, Hartley – For celebrating their 60th wedding anniversary.
- 2009\1556 Junior Massey, Burlington – For celebrating his 80th birthday.
- 2009\1557 LaVerne and Gerilyn Fangman, Dyersville – For celebrating their 50th wedding anniversary.
- 2009\1558 Lee and Darlene Meck, Burlington – For celebrating their 50th wedding anniversary.
- 2009\1559 Maxine Taylor Green, Formerly of Burlington – For celebrating her 80th birthday.
- 2009\1560 Deloris Sauer, Hedrick – For celebrating her 80th birthday.
- 2009\1561 Arthur and Loretta Streigle, Sigourney – For celebrating their 50th wedding anniversary.
- 2009\1562 Charles and Marilyn Arnburg, Redfield – For celebrating their 50th wedding anniversary.
- 2009\1563 Marie Nuehring, Garner – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 184](#)

Judiciary: Smith, Chair; Heaton and Willems.

[House File 185](#)

Public Safety: Reichert, Chair; Tjepkes and Whitead.

[House File 193](#)

Public Safety: R. Olson, Chair; Baudler and Reichert.

[House File 196](#)

Judiciary: Smith, Chair; Baudler and Willems.

[House File 206](#)

Judiciary: R. Olson, Chair; Struyk and Wessel-Kroeschell.

[House File 208](#)

Judiciary: R. Olson, Chair; Struyk and Wessel-Kroeschell.

[House File 215](#)

Human Resources: Petersen, Chair; Forristall and Wendt.

[House File 220](#)

Human Resources: Hunter, Chair; Mascher and L. Miller.

[House File 223](#)

Agriculture: Reasoner, Chair; Marek and S. Olson.

[House File 229](#)

State Government: Frevert, Chair; Rants and Willems.

[House File 231](#)

Human Resources: Mascher, Chair; Heaton and Hunter.

[Senate Concurrent Resolution 2](#)

Administration and Rules: Wessel-Kroeschell, Chair; Reasoner and Tymeson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 149](#)

Labor: R. Olson, Chair; Horbach and Willems.

[House Study Bill 155](#)

Local Government: Huser, Chair; Wagner and Whitead.

[House Study Bill 156](#)

Local Government: Gaskill, Chair; Isenhart and Wagner.

[House Study Bill 157](#)

Local Government: Gaskill, Chair; Burt and Sorenson.

[House Study Bill 158](#)

Judiciary: Palmer, Chair; Helland and Mertz.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 161 Rebuild Iowa and Disaster Recovery

Relating to home improvement contractor surety bonds.

H.S.B. 162 Rebuild Iowa and Disaster Recovery

Relating to disaster emergency assistance immunity.

H.S.B. 163 Transportation

Relating to matters under the purview of the department of transportation, including provisions for the administration of the department, driver licensing, vehicle regulation, and the issuance of citations, providing a penalty, and providing effective and retroactive applicability dates.

H.S.B. 164 Transportation

Increasing the excise tax on motor fuel and special fuel for diesel engines of motor vehicles, allocating revenues to the TIME-21 fund, and providing an effective date.

H.S.B. 165 Environmental Protection

Extending the time period during which a wind energy conversion facility shall be considered approved for purposes of the renewable energy tax credit under specified circumstances.

H.S.B. 166 Economic Growth

Relating to the eligibility for tax credits and income reductions for qualified expenditures under the film, television, and video project promotion program and providing effective and retroactive applicability date provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly [House Study Bill 21](#)), adding four nonvoting members to the Iowa workforce development board.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 2009.

Committee Bill (Formerly [House Study Bill 123](#)), relating to the administration of the Iowa water pollution control works and drinking water facilities financing program.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 2009.

COMMITTEE ON ETHICS

Committee Bill (Formerly [House Study Bill 1](#)), a resolution relating to the rules governing lobbyists in the House of Representatives.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2009.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House Study Bill 66](#)), relating to the county commissions of veteran affairs fund and required hours of service for executive directors and administrators.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 2009.

RESOLUTIONS FILED

[HR 10](#), by Raecker and Smith, a resolution recognizing the Uncommon Public Service Award.

Laid over under **Rule 25**.

[HR 11](#), by committee on ethics, a resolution relating to the rules governing lobbyists in the House of Representatives.

Placed on the **calendar**.

AMENDMENTS FILED

H-1016	H.F. 179	Berry of Black Hawk
H-1017	H.F. 179	Schultz of Crawford

On motion by McCarthy of Polk the House adjourned at 5:44 p.m., until 9:00 a.m., Wednesday, February 11, 2009.