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**STATE OF IOWA**

# **House Journal**

**WEDNESDAY, FEBRUARY 6, 2013**

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(The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Fifteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 6, 2013

The House met pursuant to adjournment at 8:31 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Christie John, Geneseo United Methodist Church, Buckingham. She was the guest of Representative Fisher of Tama County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Abbie Flanders, Page from Knoxville.

The Journal of Tuesday, February 5, 2013, was approved.

## INTRODUCTION OF BILLS

[House File 138](#), by Shaw, Heartsill, Alons, Schultz, Bacon, Sheets, Koester, Fry, and Salmon, a bill for an act relating to the definition of person in the context of the victim of the crime of murder, and providing penalties.

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

[House File 139](#), by Steckman, a bill for an act requiring the use of headlights or daytime running lamps on a motor vehicle during periods of moisture accumulation or windshield wiper use, and making a penalty applicable.

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

[House File 140](#), by Dolecheck, Alons, Klein, Huseman, Byrnes, Schultz, Steckman, and Drake, a bill for an act relating to school district funding by establishing a supplementary weighting program for shared operational functions of school districts and area education agencies.

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

[House File 141](#), by Hein, Sheets, Klein, Alons, Grassley, Byrnes, S. Olson, Maxwell, Jorgensen, L. Miller, Heaton, Stanerson, Pettengill, Moore, and Kaufmann, a bill for an act relating to the time for certifying school district budgets and submitting area education agency budgets and including applicability provisions.

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

[House File 142](#), by Winckler, Wessel-Kroeschell, Lundby, Kajtazovic, Anderson, Thede, Berry, Ruff, Steckman, Thomas, Hunter, Wood, Kelley, Lensing, Jacoby, Hanson, Gaines, Abdul-Samad, and R. Olson, a bill for an act relating to student performance by establishing an education remediation council and an advanced placement funding formula.

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

[House File 143](#), by Hall and Forristall, a bill for an act concerning harassment and bullying by students and providing criminal and civil penalties and remedies for failure by parents, guardians, and custodians to prevent such harassment and bullying.

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

[House File 144](#), by Hanusa, a bill for an act providing that children who are enrolled in the statewide preschool program are of compulsory attendance age.

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

[House File 145](#), by Pettengill, a bill for an act creating an Iowa state board for blind and deaf education with authority over the Iowa school for the deaf and the Iowa braille and sight saving school.

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

[House File 146](#), by Pettengill, Upmeyer, Hagenow, Huseman, Shaw, Heartsill, Alons, Hein, Hess, and Fisher, a bill for an act creating a silver alert program within the department of public safety for missing cognitively impaired persons.

Read first time and referred to committee on **Public Safety**.

[House File 147](#), by Kajtazovic, Kearns, Hunter, Thomas, Heddens, Jacoby, Muhlbauer, and Kaufmann, a bill for an act prohibiting the sale of United States flags manufactured outside of the United States, and providing a penalty.

Read first time and referred to committee on **State Government**.

#### SPECIAL PRESENTATION

S. Olson of Clinton introduced to the House former state legislator, Richard Arnold.

The House rose and expressed its welcome.

On motion by Upmeyer of Cerro Gordo, the House was recessed at 8:41 a.m., until 12:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 12:00 p.m., Speaker Paulsen in the chair.

#### INTRODUCTION OF BILLS

[House File 148](#), by Pettengill, Fisher, Alons, Maxwell, Hein, Hess, Heartsill, Vander Linden, Landon, Schultz, and Watts, a bill for an act adding one-half unit of personal finance literacy to the educational program standards established for school districts and accredited nonpublic schools, making an appropriation, and including effective date provisions.

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

[House File 149](#), by Isenhart and Kearns, a bill for an act requiring minimum sick and safe time for employees, providing a penalty, and including applicability provisions.

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

[House File 150](#), by Isenhart, a bill for an act relating to certain campaign communications, providing for fees, and providing for penalties.

Read first time and referred to committee on **State Government**.

[House File 151](#), by Jorgensen, a bill for an act requiring the driver of a motor vehicle to maintain a certain distance when passing a bicycle on a highway, and making penalties applicable.

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

[House File 152](#), by committee on Agriculture, a bill for an act providing for drainage or levee districts managed by a board of trustees, and including effective date provisions.

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

#### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety-one members present, nine absent.

#### CONSIDERATION OF BILLS Ways and Means Calendar

[House File 110](#), a bill for an act relating to taxation by updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, extending the property assessment appeal board, and including effective date and retroactive applicability provisions, was taken up for consideration.

Landon of Polk offered amendment [H-1001](#) filed by him and moved its adoption.

Amendment [H-1001](#) was adopted.

#### [SENATE FILE 106](#) SUBSTITUTED FOR [HOUSE FILE 110](#)

Landon of Polk asked and received unanimous consent to substitute [Senate File 106](#) for [House File 110](#).

[Senate File 106](#), a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus

depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions, was taken up for consideration.

Landon of Polk 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. 106](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Bacon
Baltimore	Baudler	Bearinger	Berry
Brandenburg	Byrnes	Cohoon	Costello
Cownie	Dawson	Deyoe	Dolecheck
Drake	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Garrett
Gaskill	Gassman	Grassley	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Hess
Highfill	Hunter	Huseman	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lofgren
Lundby	Lykam	Mascher	Maxwell
McCarthy	Miller H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Ourth	Pettengill
Prichard	Rayhons	Riding	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Thomas	Upmeyer	Vander Linden	Watts
Wessel-Kroeschell	Winckler	Windschitl	Wolfe
Wood	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Sheets

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

HOUSE FILE 110 WITHDRAWN

Landon of Polk asked and received unanimous consent to withdraw [House File 110](#) from further consideration by the House.

## Regular Calendar

[House File 14](#), a bill for an act relating to the enforcement of weight limitations for vehicles with retractable axles, with report of committee recommending passage, was taken up for consideration.

Moore of Jackson 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?" ([H.F. 14](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Bacon
Baltimore	Baudler	Bearinger	Berry
Brandenburg	Byrnes	Cohoon	Costello
Cownie	Dawson	Deyoe	Dolecheck
Drake	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Garrett
Gaskill	Gassman	Grassley	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Hess
Highfill	Hunter	Huseman	Isenhardt
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lofgren
Lundby	Lykam	Mascher	Maxwell
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Oldson	Olson, R.	Olson, S.
Olson, T.	Ourth	Pettengill	Prichard
Rayhons	Riding	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Schultz
Shaw	Smith, J.	Smith, M.	Soderberg
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Thomas
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Wood
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Murphy                 Sheets

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

ADOPTION OF [HOUSE RESOLUTION 5](#)

Shaw of Pocahontas called up for consideration [House Resolution 5](#), as follows, and moved its adoption:

[HOUSE RESOLUTION 5](#)

BY COMMITTEE ON ETHICS

1 A resolution relating to the code of ethics of the  
2 House of Representatives for the Eighty-fifth  
3 General Assembly.  
4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
5 the House Code of Ethics shall be as follows:  
6       HOUSE CODE OF ETHICS  
7     PREAMBLE. Every legislator and legislative employee  
8 has a duty to uphold the integrity and honor of the  
9 general assembly, to encourage respect for the law  
10 and for the general assembly, and to observe the house  
11 code of ethics. The members and employees of the house  
12 have a responsibility to conduct themselves so as to  
13 reflect credit on the general assembly, and to inspire  
14 the confidence, respect, and trust of the public. The  
15 following rules are adopted pursuant to chapter 68B of  
16 the Code, to assist the members and employees in the  
17 conduct of their activities:  
18     1. DEFINITIONS. The definitions of terms provided  
19 in chapter 68B of the Code apply to the use of those  
20 terms in these rules.  
21     2. ECONOMIC INTEREST OF MEMBER OR EMPLOYEE OF  
22 HOUSE.  
23       a. Economic or investment opportunity. A member  
24 or employee of the house shall not solicit or accept  
25 economic or investment opportunity under circumstances  
26 where the member or employee knows, or should know,  
27 that the opportunity is being afforded with the intent

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1 to influence the member's or employee's conduct in  
2 the performance of official duties. If a member  
3 or employee of the house learns that an economic  
4 or investment opportunity previously accepted was  
5 offered with the intent of influencing the member's or  
6 employee's conduct in the performance of the official  
7 duties, the member or employee shall take steps to  
8 divest that member or employee of that investment or  
9 economic opportunity, and shall report the matter  
10 in writing to the chairperson of the house ethics



11 committee.

12 b. Excessive charges for services, goods, or  
13 property interests. A member or employee of the  
14 house shall not charge to or accept from a person  
15 known to have a legislative interest, a price, fee,  
16 compensation, or other consideration for the sale or  
17 lease of any property or the furnishing of services  
18 which is in excess of that which the member or employee  
19 would ordinarily charge another person.

20 c. Use of confidential information. A member or  
21 employee of the house, in order to further the member's  
22 or employee's own economic interests, or those of any  
23 other person, shall not disclose or use confidential  
24 information acquired in the course of the member's or  
25 employee's official duties. For the purpose of this  
26 rule, information disclosed in open session at a public  
27 meeting and information that is a public record is not  
28 confidential information.

29 d. Employment. A member or employee of the house  
30 shall not accept employment, either directly or

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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 or  
20 to expressly advocate the passage or defeat of a ballot  
21 issue or for the purpose of influencing legislative  
22 action.

23 e. Solicitation of employment as lobbyist. A  
24 member or employee of the house shall not solicit  
25 employment on behalf of the member or employee, or on  
26 behalf of another legislator or employee, as a lobbyist  
27 while the general assembly is in session.

28 f. Certain goods or services. A member or employee  
29 of the house shall not solicit or obtain goods or

30 services from another person under circumstances where

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

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

28 4. CONFLICTS OF INTEREST. In order for the general  
29 assembly to function effectively, members of the house  
30 may be required to vote on bills and participate in

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

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

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

16 assembly.

17 c. Whether the member's participation is likely to  
18 have any significant effect on the disposition of the  
19 matter.

20 d. The need for the member's particular  
21 contribution, such as special knowledge of the subject  
22 matter, to the effective functioning of the general  
23 assembly.

24 If a member decides not to participate in committee  
25 work or to abstain from voting because of a possible  
26 conflict of interest, the member should disclose  
27 this fact to the legislative body. The member shall  
28 not vote on any question in which the member has an  
29 economic interest that is distinguishable from the  
30 interests of the general public or a substantial class

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1 of persons.

2 5. STATUTORY REQUIREMENTS. Members and employees  
3 of the house shall comply with the requirements  
4 contained in chapters 68B (Government Ethics and  
5 Lobbying), 721 (Official Misconduct), and 722 (Bribery  
6 and Corruption), and sections 2.18 (Contempt) and 711.4  
7 (Extortion) of the Code.

8 6. CHARGE ACCOUNTS. Members and employees of the  
9 house shall not charge any amount or item to a charge  
10 account to be paid for by a lobbyist or any client of a  
11 lobbyist.

12 7. TRAVEL EXPENSES. A member or employee of the  
13 house shall not charge to the state of Iowa amounts  
14 for travel and expenses unless the member or employee  
15 actually has incurred those mileage and expense costs.  
16 Members or employees shall not file the vouchers for  
17 weekly mileage reimbursement required by section 2.10,  
18 subsection 1 of the Code, unless the travel expense was  
19 actually incurred.

20 A member or employee of the house shall not file  
21 a claim for per diem compensation for a meeting of  
22 an interim study committee or a visitation committee  
23 unless the member or employee attended the meeting.  
24 However, the speaker may waive this provision and allow  
25 a claim to be filed if the member or employee attempted  
26 to attend the meeting but was unable to do so because  
27 of circumstances beyond the member's or employee's  
28 control.

29 8. GIFTS ACCEPTED OR RECEIVED. Members and  
30 employees of the house shall comply with the

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1 restrictions relating to the receipt or acceptance

2 of gifts contained in section 68B.22 of the Code.  
3 The sponsor of a function under section 68B.22,  
4 subsection 4, paragraph "s", shall electronically  
5 file a registration with the chief clerk of the house  
6 five days prior to the function disclosing the name of  
7 the sponsor, and the date, time, and location of the  
8 function. The sponsor shall also electronically file a  
9 report of expenditures as required pursuant to section  
10 68B.22, subsection 4, paragraph "s".  
11 9. HONORARIA RESTRICTIONS. Members and employees  
12 of the house shall comply with the restrictions  
13 relating to the receipt of honoraria contained in  
14 section 68B.23 of the Code.  
15 10. DISCLOSURE REQUIRED. Each member of the  
16 house and the chief clerk of the house shall file the  
17 personal financial disclosure statements required under  
18 section 68B.35 of the Code by February 15 of each year  
19 for the prior calendar year.  
20 11. SEXUAL HARASSMENT. Members and employees of  
21 the house shall not engage in conduct which constitutes  
22 sexual harassment as defined in section 19B.12 of  
23 the Code or pursuant to the sexual harassment policy  
24 adopted by the house committee on administration and  
25 rules.  
26 12. COMPLAINTS.  
27 a. Filing of complaint. Complaints may be filed by  
28 any person believing that a member or employee of the  
29 house, a lobbyist, or a client of a lobbyist is guilty  
30 of a violation of the house code of ethics, the ~~house~~

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1 joint rules governing lobbyists, or chapter 68B of the  
2 Code.  
3 b. Complaints by committee. The ethics committee  
4 may initiate a complaint on its own motion. Committee  
5 complaints may be initiated by the committee as a  
6 result of a committee investigation or as a result of  
7 receipt of any complaint or other information that does  
8 not meet the requirements of these rules regarding the  
9 form of a complaint but that contains allegations that  
10 would form the basis for a valid complaint.  
11 c. Form and contents of complaint. A complaint  
12 shall be in writing.  
13 Complaint forms shall be available from the chief  
14 clerk of the house, but a complaint shall not be  
15 rejected for failure to use the approved form if it  
16 complies with the requirements of these rules. The  
17 complaint shall contain a certification made by the  
18 complainant, under penalty of perjury, that the facts  
19 stated in the complaint are true to the best of the  
20 complainant's knowledge.

21 To be valid, a complaint shall allege all of the  
22 following:  
23 (1) Facts, that if true, establish a violation of  
24 a provision of chapter 68B of the Code, the house code  
25 of ethics, or ~~house joint~~ rules governing lobbyists for  
26 which penalties or other remedies are provided.  
27 (2) That the conduct providing the basis for the  
28 complaint occurred within three years of the filing of  
29 the complaint.  
30 (3) That the party charged with a violation is

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1 a party subject to the jurisdiction of the ethics  
2 committee.  
3 d. Confidentiality of complaint. The identity of  
4 the parties and the contents of the complaint shall  
5 be confidential until the time that the committee  
6 chairperson and ranking member determine under  
7 paragraph "f" that the complaint is sufficient as  
8 to form, unless either the complainant or the party  
9 charged in the complaint makes the identity of the  
10 parties, or the information contained in the complaint,  
11 public. The chief clerk of the house and the committee  
12 chairperson and ranking member may communicate  
13 confidentially with appropriate legislative staff  
14 during any stage of the complaint process.  
15 e. Notice of complaint. Upon receipt of the  
16 complaint, the chief clerk of the house shall promptly  
17 notify the chairperson and ranking member of the  
18 ethics committee that a complaint has been filed and  
19 provide both the chairperson and the ranking member  
20 with copies of the complaint and any supporting  
21 information. Within two working days, the chief clerk  
22 shall send notice, either by personal delivery or by  
23 certified mail, return receipt requested, to the person  
24 or persons alleged to have committed the violation,  
25 along with a copy of the complaint and any supporting  
26 information. The notice to the accused person shall  
27 contain a request that the person submit a written  
28 response to the complaint within ten working days of  
29 the date that the notice was sent by the chief clerk.  
30 At the request of the accused person, the committee may

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1 extend the time for the response, not to exceed ten  
2 additional calendar days. A response to a complaint  
3 shall not be confidential.  
4 f. Hearing regarding validity of complaint. The  
5 committee chairperson and the ranking member shall  
6 review the complaint and supporting information to

7 determine whether the complaint meets the requirements  
8 as to form. If the complaint is deficient as to form,  
9 the complaint shall be returned to the complainant  
10 with instructions indicating the deficiency. If the  
11 complaint is in writing, is sufficient as to form,  
12 and contains the appropriate certification, as soon  
13 as practicable, the chairperson shall call a meeting  
14 of the committee to review the complaint to determine  
15 whether the complaint meets the requirements for  
16 validity and whether the committee should take action  
17 on the complaint pursuant to paragraph "g" or whether  
18 the committee should request that the chief justice  
19 of the supreme court appoint an independent special  
20 counsel to conduct an investigation to determine  
21 whether probable cause exists to believe that a  
22 violation of the house code of ethics, house joint  
23 rules governing lobbyists, or chapter 68B of the Code,  
24 has occurred. The sufficiency as to form determination  
25 and the valid complaint requirements determination  
26 shall be based solely upon the original complaint and  
27 the response to the complaint. Additional documents  
28 or responses shall not be filed by the parties or  
29 otherwise considered by the committee prior to a  
30 validity determination. The committee shall not

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1 receive or consider oral testimony in support of or  
2 against a validity determination.  
3 If the committee finds that a complaint does not  
4 meet the content requirements for a valid complaint,  
5 the committee shall dismiss the complaint and notify  
6 both the complainant and the party alleged to have  
7 committed the violation of the dismissal and the  
8 reasons for dismissal. A dismissal for failure to meet  
9 the formal requirements for the filing of a complaint  
10 shall be without prejudice and the complainant may  
11 refile the complaint at any time within three years  
12 of the date that the alleged violation took place. If  
13 the dismissal is based upon a failure to allege facts  
14 and circumstances necessary for a valid complaint, the  
15 dismissal shall be with prejudice and the party shall  
16 not be permitted to file a complaint based upon the  
17 same facts and circumstances.  
18 g. Action on undisputed complaint. If the committee  
19 determines a complaint is valid and determines no  
20 dispute exists between the parties regarding the  
21 material facts that establish a violation, the  
22 committee may take action on the complaint under this  
23 paragraph without requesting the appointment of an  
24 independent special counsel.  
25 The committee may do any of the following:

26 (1) Issue an admonishment to advise against the  
27 conduct that formed the basis for the complaint and to  
28 exercise care in the future.  
29 (2) Issue an order to cease and desist the conduct  
30 that formed the basis for the complaint.

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1 (3) Make a recommendation to the house that  
2 the person subject to the complaint be censured or  
3 reprimanded.  
4 h. Request for appointment of independent special  
5 counsel. If, after review of the complaint and any  
6 response made by the party alleged to have committed  
7 the violation, the committee determines that the  
8 complaint meets the requirements for form and content  
9 and the committee has not taken action under paragraph  
10 "g", the committee shall request that the chief justice  
11 of the supreme court appoint independent special  
12 counsel to investigate the matter and determine whether  
13 probable cause exists to believe that a violation of  
14 chapter 68B of the Code, the house code of ethics, or  
15 the ~~house joint~~ rules governing lobbyists has occurred.  
16 i. Receipt of report of independent special counsel.  
17 The report from the independent special counsel  
18 regarding probable cause to proceed on a complaint  
19 shall be filed with the chief clerk of the house.  
20 Upon receipt of the report of the independent special  
21 counsel, the chief clerk shall notify the chairperson  
22 of the filing of the report and shall send copies of  
23 the report to the members of the ethics committee. As  
24 soon as practicable after the filing of the report, the  
25 chairperson shall schedule a public meeting for review  
26 of the report. The purpose of the public meeting  
27 shall be to determine whether the complaint should be  
28 dismissed, whether a formal hearing should be held on  
29 the complaint, or whether other committee action is  
30 appropriate. The complainant and the person alleged to

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1 have committed the violation shall be given notice of  
2 the public meeting, shall have the right to be present  
3 at the public meeting, and may, at the discretion  
4 of the committee, present testimony in support of or  
5 against the recommendations contained in the report.  
6 If the committee determines that the matter should  
7 be dismissed, the committee shall cause an order to  
8 be entered dismissing the matter and notice of the  
9 dismissal shall be given to the complainant and the  
10 party alleged to have committed the violation. If  
11 the committee determines that the complaint should be

12 scheduled for formal hearing, the committee shall issue  
13 a charging statement which contains the charges and  
14 supporting facts that are to be set for formal hearing  
15 and notice shall be sent to the complainant and the  
16 accused person.

17 The notice shall include a statement of the nature  
18 of the charge or charges, a statement of the time and  
19 place of hearing, a short and plain statement of the  
20 facts asserted, and a statement of the rights of the  
21 accused person at the hearing.

22 j. Formal hearing. Formal hearings shall be public  
23 and conducted in the manner provided in section 68B.31,  
24 subsection 8 of the Code. At a formal hearing the  
25 accused shall have the right to be present and to  
26 be heard in person and by counsel, to cross-examine  
27 witnesses, and to present evidence. Members of  
28 the committee shall also have the right to question  
29 witnesses.

30 The committee may require, by subpoena or otherwise,

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1 the attendance and testimony of witnesses and the  
2 production of such books, records, correspondence,  
3 memoranda, papers, documents, and any other things it  
4 deems necessary to the conduct of the inquiry.

5 Evidence at the formal hearing shall be received  
6 in accordance with rules and procedures applicable to  
7 contested cases under chapter 17A of the Code.

8 The committee chairperson, or the vice chairperson  
9 or ranking member in the absence of the chairperson,  
10 shall preside at the formal hearing and shall rule on  
11 the admissibility of any evidence received. The ruling  
12 of the chairperson may be overturned by a majority  
13 vote of the committee. Independent special counsel  
14 shall present the evidence in support of the charge  
15 or charges. The burden shall be on the independent  
16 special counsel to prove the charge or charges by  
17 a preponderance of clear and convincing evidence.  
18 Upon completion of the formal hearing, the committee  
19 shall adopt written findings of fact and conclusions  
20 concerning the merits of the charges and make its  
21 report and recommendation to the house.

22 k. Disqualification of member. Members of the  
23 committee may disqualify themselves from participating  
24 in any investigation of the conduct of another person  
25 upon submission of a written statement that the member  
26 cannot render an impartial and unbiased decision  
27 in a case. A member may also be disqualified by a  
28 unanimous vote of the remaining eligible members of the  
29 committee.

30 A member of the committee is ineligible to



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1 participate in committee meetings, as a member of the  
2 committee, in any proceeding relating to the member's  
3 own official conduct.

4 If a member of the committee is disqualified or  
5 ineligible to act, the majority or minority leader who  
6 appointed the member shall appoint a replacement member  
7 to serve as a member of the committee during the period  
8 of disqualification or ineligibility.

9 1. Recommendations by the committee. The committee  
10 shall recommend to the house that the complaint be  
11 dismissed, or that one or more of the following be  
12 imposed:

13 (1) That the member or employee of the house  
14 or lobbyist or client of a lobbyist be censured or  
15 reprimanded, and the recommended appropriate form of  
16 censure or reprimand be used.

17 (2) That the member of the house be suspended or  
18 expelled from membership in the house and required  
19 to forfeit the member's salary for that period, the  
20 employee of the house be suspended or dismissed from  
21 employment, or that the lobbyist's or lobbyist's  
22 client's lobbying privileges be suspended.

23 13. COMMUNICATIONS WITH ETHICS COMMITTEE. After a  
24 complaint has been filed or an investigation has been  
25 initiated, a party to the complaint or investigation  
26 shall not communicate, or cause another to communicate,  
27 as to the merits of the complaint or investigation with  
28 a member of the committee, except under the following  
29 circumstances:

30 a. During the course of any meetings or other

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1 official proceedings of the committee regarding the  
2 complaint or investigation.

3 b. In writing, if a copy of the writing is  
4 delivered to the adverse party or the designated  
5 representative for the adverse party.

6 c. Orally, if adequate prior notice of the  
7 communication is given to the adverse party or the  
8 designated representative for the adverse party.

9 d. As otherwise authorized by statute, the house  
10 code of ethics, ~~house joint~~ rules governing lobbyists,  
11 or vote of the committee.

12 14. PERMANENT RECORD. The chief clerk of the house  
13 shall maintain a permanent record of all complaints  
14 filed and any corresponding committee action. The  
15 permanent record shall be prepared by the ethics  
16 committee and shall contain the date the complaint was  
17 filed, name and address of the complainant, name and

18 address of the accused person, a brief statement of the  
19 charges made, any evidence received by the committee,  
20 any transcripts or recordings of committee action, and  
21 ultimate disposition of the complaint. ~~The~~ Except as  
22 provided in rule 12, paragraph "d", the chief clerk  
23 shall keep each complaint confidential until public  
24 disclosure is made by the ethics committee.

25 15. MEETING AUTHORIZATION. The house ethics  
26 committee is authorized to meet at the discretion of  
27 the committee chairperson in order to conduct hearings  
28 and other business that properly may come before it.  
29 If the committee submits a report seeking house action  
30 against a member or employee of the house or lobbyist

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1 after the second regular session of a general assembly  
2 has adjourned sine die, the report shall be submitted  
3 to and considered by the subsequent general assembly.

4 16. ADVISORY OPINIONS.

5 a. Requests for formal opinions. A request for a  
6 formal advisory opinion may be filed by any person who  
7 is subject to the authority of the ethics committee.  
8 The ethics committee may also issue a formal advisory  
9 opinion on its own motion, without having previously  
10 received a formal request for an opinion, on any issue  
11 that is within the jurisdiction of the committee.

12 Requests shall be filed with either the chief clerk of  
13 the house or the chairperson of the ethics committee.

14 b. Form and contents of requests. A request for  
15 a formal advisory opinion shall be in writing and  
16 may pertain to any subject matter that is related to  
17 application of the house code of ethics, the ~~house~~  
18 joint rules governing lobbyists, or chapter 68B of the  
19 Code to any person who is subject to the authority of  
20 the ethics committee. Requests shall contain one or  
21 more specific questions and shall relate either to  
22 future conduct or be stated in the hypothetical. A  
23 request for an advisory opinion shall not specifically  
24 name any individual or contain any other specific  
25 identifying information, unless the request relates  
26 to the requester's own conduct. However, any request  
27 may contain information which identifies the kind  
28 of individual who may be affected by the subject  
29 matter of the request. Examples of this latter kind  
30 of identifying information may include references to

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1 conduct of a category of individuals, such as but not  
2 limited to conduct of legislators, legislative staff,  
3 or lobbyists.

4 c. Confidentiality of formal requests and opinions.  
 5 Requests for formal opinions are not confidential and  
 6 any deliberations of the committee regarding a request  
 7 for a formal opinion shall be public. Opinions issued  
 8 in response to requests for formal opinions are not  
 9 confidential, shall be in writing, and shall be placed  
 10 on file in the office of the chief clerk of the house.  
 11 Persons requesting formal opinions shall personally  
 12 receive a copy of the written formal opinion that is  
 13 issued in response to the request.

14 17. PERSONAL FINANCIAL DISCLOSURE FORM. The  
 15 following form shall be used for disclosure of economic  
 16 interests under these rules and section 68B.35 of the  
 17 Code:

18 STATEMENT OF ECONOMIC INTERESTS  
 19 Name: \_\_\_\_\_  
 20 (Last) (First) (Middle Initial)  
 21 Address: \_\_\_\_\_  
 22 (Street Address, Apt.#/P.O. Box)  
 23 \_\_\_\_\_  
 24 (City)(State)(Zip)  
 25 Phone:(Home)\_\_\_\_\_/\_\_\_\_\_-\_\_\_\_\_(Business)\_\_\_\_\_/\_\_\_\_\_-\_\_\_\_\_  
 26 \*\*\*\*\*

27 This form is due each year on or before February 15.  
 28 The reporting period is the most recently completed  
 29 calendar year.  
 30 In completing Division III of this form, if your

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1 percentage of ownership of an asset is less than 100  
 2 percent, multiply your percentage of ownership by the  
 3 total revenue produced to determine if you have reached  
 4 the \$1,000 threshold.  
 5 Do not report income received by your spouse or  
 6 other family members.  
 7 In completing this form, if insufficient space is  
 8 provided for your answer, you may attach additional  
 9 information/answers on full-size sheets of paper.  
 10 Division I. Business, Occupation, or Profession.  
 11 List each business, occupation, or profession in  
 12 which you are engaged, the nature of the business if  
 13 not evident, and your position or job title. No income  
 14 threshold or time requirement applies.  
 15 Examples:  
 16 If you are employed by an individual, state the name  
 17 of the individual employer, the nature of the business,  
 18 and your position.  
 19 If you are self-employed and are not incorporated  
 20 or are not doing business under a particular business  
 21 name, state that you are self-employed, the nature of  
 22 the business, and your position.

23 If you own your own corporation, are employed by a  
 24 corporation, or are doing business under a particular  
 25 business name, state the name and nature of the  
 26 business or corporation and your position.

- 27 1 \_\_\_\_\_
- 28 2 \_\_\_\_\_
- 29 3 \_\_\_\_\_
- 30 4 \_\_\_\_\_

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- 1 5 \_\_\_\_\_
- 2 6 \_\_\_\_\_
- 3 Division II. Commissions from Sales of Goods or
- 4 Services to Political Subdivisions.
- 5 This part is to be completed only by Legislators.
- 6 If you received income in the form of a commission
- 7 from the sale of goods or services to a political
- 8 subdivision, state the name of the purchasing political
- 9 subdivision. The amount of commission earned is not
- 10 required to be listed.
- 11 1 \_\_\_\_\_
- 12 2 \_\_\_\_\_
- 13 3 \_\_\_\_\_
- 14 4 \_\_\_\_\_
- 15 5 \_\_\_\_\_
- 16 6 \_\_\_\_\_

17 Division III. Sources of Gross Income.  
 18 In each one of the following categories list each  
 19 source which produces more than \$1,000 in annual gross  
 20 income, if the revenue produced by the source was  
 21 subject to federal or state income taxes last year.  
 22 List the nature or type of each company, business,  
 23 financial institution, corporation, partnership, or  
 24 other entity which produces more than \$1,000 of annual  
 25 gross income. Neither the amount of income produced  
 26 nor value of the holding is required to be listed in  
 27 any of the items.  
 28 A. Securities: State the nature of the business of  
 29 any company in which you hold stock, bonds, or other  
 30 pecuniary interests that generate more than \$1,000

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1 in annual gross income. Income generated by multiple  
 2 holdings in a single company are deemed received from a  
 3 single source.

- 4 \_\_\_\_\_
- 5 \_\_\_\_\_
- 6 \_\_\_\_\_
- 7 \_\_\_\_\_
- 8 \_\_\_\_\_

9 \_\_\_\_\_  
 10 B. Instruments of Financial Institutions: State  
 11 the types of institutions in which you hold financial  
 12 instruments, such as certificates of deposit, savings  
 13 accounts, etc., that produce annual gross income in  
 14 excess of \$1,000, e.g., banks, savings and loans, or  
 15 credit unions.

16 \_\_\_\_\_  
 17 \_\_\_\_\_  
 18 \_\_\_\_\_  
 19 \_\_\_\_\_  
 20 \_\_\_\_\_

21 \_\_\_\_\_  
 22 C. Trusts: State the nature or type of any trust  
 23 from which you receive more than \$1,000 of gross income  
 24 annually.

25 \_\_\_\_\_  
 26 \_\_\_\_\_  
 27 \_\_\_\_\_  
 28 \_\_\_\_\_  
 29 \_\_\_\_\_  
 30 \_\_\_\_\_

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1 D. Real Estate: State the general nature of real  
 2 estate interests that generate more than \$1,000 of  
 3 gross income annually, e.g., residential leasehold  
 4 interest or farm leasehold interest. The size or  
 5 location of the property interest is not required to be  
 6 listed.

7 \_\_\_\_\_  
 8 \_\_\_\_\_  
 9 \_\_\_\_\_  
 10 \_\_\_\_\_  
 11 \_\_\_\_\_  
 12 \_\_\_\_\_

13 E. Retirement Systems: State the name of each  
 14 pension plan or other corporation or company that pays  
 15 you more than \$1,000 annually in retirement benefits.

16 \_\_\_\_\_  
 17 \_\_\_\_\_  
 18 \_\_\_\_\_  
 19 \_\_\_\_\_  
 20 \_\_\_\_\_  
 21 \_\_\_\_\_

22 F. Other Income Categories Specified in State and  
 23 Federal Income Tax Regulations.

24 \_\_\_\_\_  
 25 \_\_\_\_\_  
 26 \_\_\_\_\_  
 27 \_\_\_\_\_

28 \_\_\_\_\_  
 29 \_\_\_\_\_  
 30 (Signature of Filer) (Date)

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 4

Shaw of Pocahontas called up for consideration House Concurrent Resolution 4, as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 4  
 BY COMMITTEE ON ETHICS

1 A concurrent resolution relating to the joint rules  
 2 governing lobbyists of the Senate and House of  
 3 Representatives for the Eighty-fifth General  
 4 Assembly.  
 5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE  
 6 SENATE CONCURRING, That Senate Resolution 4 and House  
 7 ~~Resolution 12~~ are superseded by this resolution and  
 8 that the joint rules governing lobbyists of the Senate  
 9 and House of Representatives for the ~~Eighty fourth~~  
 10 Eighty-fifth General Assembly shall be as follows:

JOINT RULES GOVERNING LOBBYISTS

Rule 1

DEFINITIONS

14 As used in these rules, "client", "gift",  
 15 "honoraria" or "honorarium", "immediate family member",  
 16 and "lobbyist" have the meaning provided in chapter  
 17 68B of the Code. As used in these rules, the term  
 18 "political action committee" means a committee, but not  
 19 a candidate's committee, which accepts contributions,  
 20 makes expenditures, or incurs indebtedness in the  
 21 aggregate of more than seven hundred fifty dollars  
 22 in any one calendar year to expressly advocate the  
 23 nomination, election, or defeat of a candidate for  
 24 public office or to expressly advocate the passage or  
 25 defeat of a ballot issue or influencing legislative  
 26 action, or an association, lodge, society, cooperative,  
 27 union, fraternity, sorority, educational institution,

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1 civic organization, labor organization, religious  
 2 organization, or professional or other organization  
 3 which makes contributions in the aggregate of more than  
 4 seven hundred fifty dollars in any one calendar year  
 5 to expressly advocate the nomination, election, or  
 6 defeat of a candidate for public office or to expressly  
 7 advocate the passage or defeat of a ballot issue or

8 influencing legislative action.

9 Rule 2

10 REGISTRATION REQUIRED

11 1. All lobbyists shall register with the chief  
12 clerk of the house and secretary of the senate on or  
13 before the day their lobbying activity begins. In  
14 addition, the lobbyist shall file with the chief clerk  
15 of the house and secretary of the senate a statement  
16 of the general subjects of legislation in which the  
17 lobbyist is or may be interested, and a declaration  
18 of the numbers of the bills and resolutions and the  
19 bill number of study bills, if known, which will be  
20 lobbied, whether the lobbyist intends to lobby for or  
21 against each bill, resolution, or study bill, if known,  
22 and on whose behalf the lobbyist is lobbying the bill,  
23 resolution, or study bill.

24 2. A declaration on a bill, resolution, or study  
25 bill shall be filed prior to the lobbyist advocating  
26 for or against the bill, resolution, or study bill  
27 or stating that the lobbyist's client is undecided.  
28 If such a prior declaration is impracticable, a  
29 declaration shall be made within one working day  
30 of the commencement of advocating for or against

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1 the bill, resolution, or study bill or stating that  
2 the lobbyist's client is undecided. A change to a  
3 declaration for a bill, resolution, or study bill shall  
4 be filed within one working day of when the change  
5 becomes effective.

6 3. Registration expires upon the commencement of  
7 the next regular session of the general assembly,  
8 except that the chief clerk of the house and secretary  
9 of the senate may adopt and implement a reasonable  
10 preregistration procedure in advance of each regular  
11 session during which persons may register for that  
12 session and the following legislative interim.

13 4. If a lobbyist's service on behalf of a  
14 particular employer, client, or cause is concluded  
15 prior to the end of the calendar year, the lobbyist may  
16 cancel the registration on appropriate forms supplied  
17 by the chief clerk of the house and the secretary  
18 of the senate. Upon cancellation of registration, a  
19 lobbyist is prohibited from engaging in any lobbying  
20 activity on behalf of that particular employer, client,  
21 or cause until reregistering and complying with these  
22 rules. A lobbyist's registration is valid for only one  
23 session of a general assembly.

24 5. If a registered lobbyist represents more than  
25 one employer, client, or cause and the lobbyist's  
26 services are concluded on behalf of a particular

27 employer, client, or cause after the lobbyist registers  
28 but before the first day of the next legislative  
29 session, the lobbyist shall file an amendment to the  
30 lobbyist's registration indicating which employer,

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1 client, or cause is no longer represented by the  
2 lobbyist and the date upon which the representation  
3 concluded.

4 6. If a lobbyist is retained by one or more  
5 additional employers, clients, or causes after the  
6 lobbyist registers but before the first day of the  
7 next legislative session, the lobbyist shall file an  
8 amendment to the lobbyist's registration indicating the  
9 employer, client, or cause to be added and the date  
10 upon which the representation begins.

11 7. Amendments to a lobbyist's registration  
12 regarding changes which occur during the time that the  
13 general assembly is in session shall be filed within  
14 one working day after the date upon which the change in  
15 the lobbyist's representation becomes effective.

16 Rule 3

17 ELECTRONIC FILING

18 A lobbyist or client of a lobbyist required to  
19 file information with the chief clerk of the house  
20 or the secretary of the senate is required to make  
21 such filings in an electronic format as directed by  
22 the chief clerk of the house and the secretary of the  
23 senate.

24 Rule 4

25 LOBBYIST'S CLIENT REPORTING

26 1. Each lobbyist's client shall file the reports  
27 required under section 68B.38 with the chief clerk of  
28 the house or the secretary of the senate.

29 2. For purposes of this rule, and the report  
30 required under section 68B.38, "lobbying purposes"

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1 include but are not limited to the following:

2 a. Time spent by the lobbyist at the state capitol  
3 building commencing with the first day of a legislative  
4 session and ending with the day of final adjournment of  
5 each legislative session as indicated by the journals  
6 of the house and senate.

7 b. Time spent by the lobbyist attending meetings or  
8 hearings which results in the lobbyist communicating  
9 with members of the general assembly or legislative  
10 employees about current or proposed legislation.

11 c. Time spent by the lobbyist researching and  
12 drafting proposed legislation with the intent to submit



13 the legislation to a member of the general assembly or  
14 a legislative employee.  
15 d. Time spent by the lobbyist actually  
16 communicating with members of the general assembly  
17 and legislative employees about current or proposed  
18 legislation.

19 Rule 5

20 GOVERNMENT OFFICIALS - OPPOSITION LOBBYING

21 Federal, state, and local officials who wish to  
22 lobby in opposition to their departments, commissions,  
23 boards, or agencies must indicate such on their  
24 lobbyist registration statements.

25 Rule 6

26 PUBLIC ACCESS

27 All information filed by a lobbyist or a client  
28 of a lobbyist pursuant to chapter 68B of the Code is  
29 a public record and open to public inspection at any  
30 reasonable time.

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1 Rule 7

2 CHARGE ACCOUNTS

3 Lobbyists and clients of lobbyists shall not allow  
4 members to charge any amounts or items to a charge  
5 account to be paid for by those lobbyists or clients of  
6 lobbyists.

7 Rule 8

8 MEMBERSHIP CONTRIBUTIONS

9 A lobbyist or client of a lobbyist shall not  
10 pay for membership in or contributions to clubs or  
11 organizations on behalf of a member.

12 Rule 9

13 FEE OR BONUS PROHIBITED

14 A fee or bonus shall not be paid to any lobbyist  
15 with reference to any legislative action that is  
16 conditioned wholly or in part upon the results attained  
17 by the lobbyist.

18 Rule 10

19 OFFERS OF ECONOMIC OR INVESTMENT OPPORTUNITY

20 1. A lobbyist, an employer or client of a lobbyist,  
21 or a political action committee shall not offer  
22 economic or investment opportunity or promise of  
23 employment to any member with intent to influence  
24 conduct in the performance of official duties.  
25 2. A lobbyist shall not take action intended to  
26 negatively affect the economic interests of a member.  
27 For purposes of this rule, supporting or opposing a  
28 candidate for office or supporting or opposing a bill,  
29 amendment, or resolution shall not be considered to  
30 be action intended to negatively affect the economic

Page 7

1 interests of a member.

2 Rule 11

3 PERSONAL OR FINANCIAL OBLIGATION

4 A lobbyist shall not do anything with the purpose of  
5 placing a member under personal or financial obligation  
6 to a lobbyist or a lobbyist's principal or agent.

7 Rule 12

8 ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT

9 A lobbyist shall not cause or influence the  
10 introduction of any bill or amendment for the purpose  
11 of being employed to secure its passage or defeat.

12 Rule 13

13 CAMPAIGN SUPPORT

14 A lobbyist shall not influence or attempt to  
15 influence a member's actions by the promise of  
16 financial support for the member's candidacy or threat  
17 of financial support for an opposition candidate. A  
18 lobbyist shall not make a campaign contribution to a  
19 member or to a member's candidate's committee during  
20 the time that the general assembly is in session.

21 Rule 14

22 COMMUNICATION WITH MEMBER'S EMPLOYER PROHIBITED

23 A lobbyist shall not communicate with a member's  
24 employer for the purpose of influencing a vote of the  
25 member.

26 Rule 15

27 EXCESS PAYMENTS

28 A lobbyist shall not pay or agree to pay to a member  
29 a price, fee, compensation, or other consideration for  
30 the sale or lease of any property or the furnishing of

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1 services which is substantially in excess of that which  
2 other persons in the same business or profession would  
3 charge in the ordinary course of business.

4 Rule 16

5 PROHIBITION AGAINST GIFTS

6 1. A lobbyist or client of a lobbyist shall not,  
7 directly or indirectly, offer or make a gift or series  
8 of gifts to any member or full-time permanent employee  
9 of the house or senate or the immediate family members  
10 of a member or full-time permanent employee of the  
11 house or senate except as otherwise provided in section  
12 68B.22 of the Code. A lobbyist or client of a lobbyist  
13 who intends or plans to give a nonmonetary item, other  
14 than food or drink consumed in the presence of the  
15 donor, which does not have a readily ascertainable  
16 value, to a member or full-time permanent employee of  
17 the house or senate, prior to giving or sending the

18 item to the member or employee, shall seek approval  
19 of the item from the chief clerk of the house or the  
20 secretary of the senate, as applicable. A lobbyist or  
21 client of a lobbyist who seeks approval of an item from  
22 the chief clerk of the house or the secretary of the  
23 senate shall submit the item and evidence of the value  
24 of the item at the time that approval is requested.

25 2. A lobbyist shall inform each of the lobbyist's  
26 clients of the requirements of section 68B.22 of the  
27 Code and of the responsibility to seek approval prior  
28 to giving or sending a nonmonetary item which does not  
29 have a readily ascertainable value to a member or a  
30 full-time permanent employee of the house or senate.

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1 Rule 17

2 FINANCIAL TRANSACTIONS

3 1. A lobbyist shall not, directly or indirectly,  
4 make a loan to a member or to an employee of the house  
5 or senate.

6 2. A loan prohibited under this section does not  
7 include a loan made in the ordinary course of business  
8 of a lobbyist if the primary business of the lobbyist  
9 is something other than lobbying, if consideration of  
10 equal or greater value is received by the lobbyist,  
11 and if fair market value is given or received for the  
12 benefit conferred.

13 Rule 18

14 HONORARIA - RESTRICTIONS

15 A lobbyist or client of a lobbyist shall not pay  
16 an honorarium to a member or employee of the house or  
17 senate for a speaking engagement or other formal public  
18 appearance in the official capacity of the member or  
19 employee except as otherwise provided in section 68B.23  
20 of the Code.

21 Rule 19

22 COMPLAINTS

23 The procedures for complaints and enforcement of  
24 these rules shall be the same as those provided in the  
25 house or senate code of ethics.

26 Rule 20

27 PROCEDURES AND FORMS

28 The chief clerk of the house and the secretary of  
29 the senate, subject to the approval of the house or  
30 senate ethics committee, as applicable, shall prescribe

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1 procedures for compliance with these rules, and shall  
2 prepare forms for the filing of complaints and make  
3 them available to any person.

4 Rule 21

5 EFFECTIVE PERIOD

6 These rules governing lobbyists and clients of  
7 lobbyists shall be in effect throughout the calendar  
8 year, whether or not the general assembly is in  
9 session.

10 Rule 22

11 ADDITIONAL RULES

12 The senate and the house of representatives may  
13 adopt rules relating to the activities of lobbyists in  
14 the senate rules and house rules that supplement these  
15 joint rules.

The motion prevailed and the resolution was adopted.

### ADOPTION OF [HOUSE CONCURRENT RESOLUTION 5](#)

Windschitl of Harrison called up for consideration [House Concurrent Resolution 5](#), as follows, and moved its adoption:

#### [HOUSE CONCURRENT RESOLUTION 5](#)

BY COMMITTEE ON ADMINISTRATION AND RULES

1 A concurrent resolution relating to joint rules of  
2 the Senate and House of Representatives for the  
3 Eighty-fifth General Assembly.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE

5 SENATE CONCURRING, That the joint rules of the Senate

6 and House of Representatives for the ~~Eighty-fourth~~

7 ~~Eighty-fourth~~ General Assembly shall be:

8 JOINT RULES OF THE SENATE AND HOUSE

9 Rule 1

10 Suspension of Joint Rules

11 The joint rules of the general assembly may be  
12 suspended by concurrent resolution, duly adopted by a  
13 constitutional majority of the senate and the house.

14 Rule 2

15 Designation of Sessions

16 Each regular session of a general assembly shall be  
17 designated by the year in which such regular session  
18 commences.

19 Rule 3

20 Sessions of a General Assembly

21 The election of officers, organization, hiring and  
22 compensation of employees, and standing committees in  
23 each house of the general assembly and action taken  
24 by each house shall carry over from the first to the  
25 second regular session and to any extraordinary session  
26 of the same general assembly. The status of each  
27 bill and resolution shall be the same at the beginning

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1 of each second session as it was immediately before  
2 adjournment of the previous regular or extraordinary  
3 session; however the rules of either house may provide  
4 for re-referral of some or all bills and resolutions  
5 to standing committees upon adjournment of each  
6 session or at the beginning of a subsequent regular or  
7 extraordinary session, except those which have been  
8 adopted by both houses in different forms.

9 Upon final adoption of a concurrent resolution at  
10 any extraordinary session affecting that session, or at  
11 a regular session affecting any extraordinary session  
12 which may be held before the next regular session,  
13 the creation of any calendar by either house shall be  
14 suspended and the business of the session shall consist  
15 solely of those bills or subject matters stated in the  
16 resolution adopted. Bills named in the resolution, or  
17 bills containing the subject matter provided for in the  
18 resolution, may, at any time, be called up for debate  
19 in either house by the majority leader of that house.

20 Rule 3A

21 International Relations Protocol

22 The senate and the house of representatives shall  
23 comply with the international relations protocol policy  
24 adopted by the international relations committee of the  
25 legislative council.

26 Rule 4

27 Presentation of Messages

28 All messages between the two houses shall be sent  
29 and accepted, as soon as practicable, by the secretary  
30 of the senate and the chief clerk of the house of

Page 3

1 representatives. The messages shall be communicated  
2 to and received by the presiding officer of the other  
3 house at the earliest appropriate time when that house  
4 is in session.

5 Rule 5

6 Printing and Form of Bills and Other Documents

7 Bills and joint resolutions shall be introduced,  
8 numbered, prepared, and printed as provided by  
9 law, or in the absence of such law, in a manner  
10 determined by the secretary of the senate and the  
11 chief clerk of the house of representatives. Proposed  
12 bills and resolutions which are not introduced but  
13 are referred to committee shall be tracked in the  
14 legislative computer system as are introduced bills  
15 and resolutions. The referral of proposed bills  
16 and resolutions to committee shall be entered in the  
17 journal.

18 All bills and joint resolutions introduced shall be  
19 in a form and number approved by the secretary of the  
20 senate and chief clerk of the house.

21 The legal counsel's office of each house shall  
22 approve all bills before introduction.

23 Rule 6

24 Companion Bills

25 Identical bills introduced in one or both houses  
26 shall be called companion bills. Each house shall  
27 designate the sponsor in the usual way followed in  
28 parentheses by the sponsor of any companion bill or  
29 bills in the other house. The house where a companion  
30 bill is first introduced shall print the complete text.

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1 Rule 7

2 Reprinting of Bills

3 Whenever any bill has been substantially amended by  
4 either house, the secretary of the senate or the chief  
5 clerk of the house shall order the bill reprinted on  
6 paper of a different color. All adopted amendments  
7 shall be distinguishable.

8 The secretary of the senate or the chief clerk  
9 of the house may order the printing of a reasonable  
10 number of additional copies of any bill, resolution,  
11 amendment, or journal.

12 Rule 8

13 Daily Clip Sheet

14 The secretary of the senate and the chief clerk of  
15 the house shall prepare a daily clip sheet covering all  
16 amendments filed.

17 Rule 9

18 Reintroduction of Bills and Other Measures

19 A bill or resolution which has passed one house and  
20 is rejected in the other shall not be introduced again  
21 during that general assembly.

22 Rule 10

23 Certification of Bills and Other Enrollments

24 When any bill or resolution which has passed one  
25 house is rejected or adopted in the other, notice of  
26 such action and the date thereof shall be given to the  
27 house of origin in writing signed by the secretary of  
28 the senate or the chief clerk of the house.

29 Rule 11

30 Code Editor's Correction Bills

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1 A bill recommended by the Code editor which is  
2 passed out of committee to the floor for debate by a  
3 committee of the house or senate and which contains

4 Code corrections of a nonsubstantive nature shall  
5 not be amended on the floor of either house except  
6 pursuant to corrective or nonsubstantive amendments  
7 filed by the judiciary committee of the senate or  
8 the house. Such committee amendments, whether filed  
9 at the time of initial committee passage of the bill  
10 to the floor for debate or after rereferral to the  
11 committee, shall not be incorporated into the bill in  
12 the originating house but shall be filed separately.  
13 Amendments filed from the floor to strike sections of  
14 the bill or the committee amendments shall be in order.  
15 Following amendment and passage by the second house,  
16 only amendments filed from the floor which strike  
17 sections of the amendment of the second house shall be  
18 in order.  
19 A bill recommended by the Code editor which is  
20 passed out of committee to the floor for debate by a  
21 committee of the house or senate and which contains  
22 Code corrections beyond those of a nonsubstantive  
23 nature shall not be amended on the floor of either  
24 house except pursuant to amendments filed by the  
25 judiciary committee of the senate or the house. Such  
26 committee amendments, whether filed at the time of  
27 initial committee passage of the bill to the floor for  
28 debate or after rereferral to the committee, shall  
29 not be incorporated into the bill in the originating  
30 house but shall be filed separately. Such a bill shall

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1 be limited to corrections which: Adjust language to  
2 reflect current practices, insert earlier omissions,  
3 delete redundancies and inaccuracies, delete temporary  
4 language, resolve inconsistencies and conflicts,  
5 update ongoing provisions, and remove ambiguities.  
6 Amendments filed from the floor to strike sections of  
7 the bill or the committee amendments shall be in order.  
8 Following amendment and passage by the second house,  
9 only amendments filed from the floor which strike  
10 sections of the amendment of the second house shall be  
11 in order.  
12 It is the intent of the house and the senate that  
13 such bills be passed out of committee to the floor for  
14 debate within the first four weeks of convening of a  
15 legislative session.  
16 Rule 12  
17 Amendments by Other House  
18 1. When a bill which originated in one house is  
19 amended in the other house, the house originating  
20 the bill may amend the amendment, concur in full in  
21 the amendment, or refuse to concur in full in the  
22 amendment. Precedence of motions shall be in that

23 order. The amendment of the other house shall not be  
24 ruled out of order based on a question of germaneness.  
25 a. If the house originating the bill concurs in the  
26 amendment, the bill shall then be immediately placed  
27 upon its final passage.  
28 b. If the house originating the bill refuses to  
29 concur in the amendment, the bill shall be returned to  
30 the amending house which shall either:

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1 (1) Recede, after which the bill shall be read for  
2 the last time and immediately placed upon its final  
3 passage; or  
4 (2) Insist, which will send the bill to a  
5 conference committee.  
6 c. If the house originating the bill amends the  
7 amendment, that house shall concur in the amendment  
8 as amended and the bill shall be immediately placed  
9 on final passage, and shall be returned to the other  
10 house. The other house cannot further amend the bill.  
11 (1) If the amending house which gave second  
12 consideration to the bill concurs in the amendment  
13 to the amendment, the bill shall then be immediately  
14 placed upon its final passage.  
15 (2) If the amending house refuses to concur in the  
16 amendment to the amendment, the bill shall be returned  
17 to the house originating the bill which shall either:  
18 (a) Recede, after which the bill shall be read for  
19 the last time as amended and immediately placed upon  
20 its final passage; or  
21 (b) Insist, which will send the bill to a  
22 conference committee.  
23 2. A motion to recede has precedence over a motion  
24 to insist. Failure to recede means to insist; and  
25 failure to insist means to recede.  
26 3. A motion to lay on the table or to indefinitely  
27 postpone shall be out of order with respect to motions  
28 to recede from or insist upon and to amendments to  
29 bills which have passed both houses.  
30 4. A motion to concur, refuse to concur, recede,

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1 insist, or adopt a conference committee report is in  
2 order even though the subject matter has previously  
3 been acted upon.

4 Rule 13  
5 Conference Committee

6 1. Within one legislative day after either house  
7 insists upon an amendment to a bill, the presiding  
8 officer of the house, after consultation with the



9 majority leader, shall appoint three majority party  
10 members and, after consultation with the minority  
11 leader, shall appoint two minority party members  
12 to a conference committee. The majority leader of  
13 the senate, after consultation with the president,  
14 shall appoint three majority party members and,  
15 after consultation with and approval by the minority  
16 leader, shall appoint two minority party members to a  
17 conference committee. The papers shall remain with the  
18 house that originated the bill.

19 2. The conference committee shall meet before  
20 the end of the next legislative day after their  
21 appointment, shall select a chair and shall discuss the  
22 controversy.

23 3. The authority of the first conference committee  
24 shall cover only issues related to provisions of the  
25 bill and amendments to the bill which were adopted  
26 by either the senate or the house of representatives  
27 and on which the senate and house of representatives  
28 differed. If a conference committee report is not  
29 acted upon because such action would violate this  
30 subsection of this rule, the inaction on the report

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1 shall constitute refusal to adopt the conference  
2 committee report and shall have the same effect as if  
3 the conference committee had disagreed.

4 4. An agreement on recommendations must be approved  
5 by a majority of the committee members from each house.  
6 The committee shall submit two originals of the report  
7 signed by a majority of the committee members of each  
8 house with one signed original and three copies to be  
9 submitted to each house. The report shall first be  
10 acted upon in the house originating the bill. Such  
11 action, including all papers, shall be immediately  
12 referred by the secretary of the senate or the chief  
13 clerk of the house of representatives to the other  
14 house.

15 5. The report of agreement is debatable, but  
16 cannot be amended. If the report contains recommended  
17 amendments to the bill, adoption of the report shall  
18 automatically adopt all amendments contained therein.  
19 After the report is adopted, there shall be no more  
20 debate, and the bill shall immediately be placed upon  
21 its final passage.

22 6. Refusal of either house to adopt the conference  
23 committee report has the same effect as if the  
24 committee had disagreed.

25 7. If the conference committee fails to reach  
26 agreement, a report of such failure signed by a  
27 majority of the committee members of each house shall

28 be given promptly to each house. The bill shall  
29 be returned to the house that originated the bill,  
30 the members of the committee shall be immediately

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1 discharged, and a new conference committee appointed in  
2 the same manner as the first conference committee.  
3 8. The authority of a second or subsequent  
4 conference committee shall cover free conference during  
5 which the committee has authority to propose amendments  
6 to any portion of a bill provided the amendment is  
7 within the subject matter content of the bill as passed  
8 by the house of origin or as amended by the second  
9 house.

10 Rule 14

11 Enrollment and Authentication of Bills

12 A bill or resolution which has passed both houses  
13 shall be enrolled in the house of origin under the  
14 direction of either the secretary of the senate or the  
15 chief clerk of the house and its house of origin shall  
16 be certified by the endorsement of the secretary of the  
17 senate or the chief clerk of the house.

18 After enrollment, each bill shall be signed by the  
19 president of the senate and by the speaker of the  
20 house.

21 Rule 15

22 Concerning Other Enrollments

23 All resolutions and other matters which are to  
24 be presented to the governor for approval shall be  
25 enrolled, signed, and presented in the same manner as  
26 bills.

27 All resolutions and other matters which are not to  
28 be presented to the governor or the secretary of state  
29 shall be enrolled, signed, and retained permanently  
30 by the secretary of the senate or chief clerk of the

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1 house.

2 Rule 16

3 Transmission of Bills to the Governor

4 After a bill has been signed in each house, it shall  
5 be presented by the house of origin to the governor by  
6 either the secretary of the senate or the chief clerk  
7 of the house. The secretary or the chief clerk shall  
8 report the date of the presentation, which shall be  
9 entered upon the journal of the house of origin.

10 Rule 17

11 Fiscal Notes

12 A fiscal note shall be attached to any bill or joint  
13 resolution which reasonably could have an annual effect

14 of at least one hundred thousand dollars or a combined  
15 total effect within five years after enactment of  
16 five hundred thousand dollars or more on the aggregate  
17 revenues, expenditures, or fiscal liability of the  
18 state or its subdivisions. This rule does not apply  
19 to appropriation and ways and means measures where the  
20 total effect is stated in dollar amounts.

21 Each fiscal note shall state in dollars the  
22 estimated effect of the bill on the revenues,  
23 expenditures, and fiscal liability of the state or  
24 its subdivisions during the first five years after  
25 enactment. The information shall specifically note  
26 the fiscal impact for the first two years following  
27 enactment and the anticipated impact for the succeeding  
28 three years. The fiscal note shall specify the source  
29 of the information. Sources of funds for expenditures  
30 under the bill shall be stated, including federal

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1 funds. If an accurate estimate cannot be made, the  
2 fiscal note shall state the best available estimate or  
3 shall state that no dollar estimate can be made and  
4 state concisely the reason.

5 The preliminary determination of whether the bill  
6 appears to require a fiscal note shall be made by  
7 the legal services staff of the legislative services  
8 agency. Unless the requestor specifies the request is  
9 to be confidential, upon completion of the bill draft,  
10 the legal services staff shall immediately send a copy  
11 to the fiscal services director for review.

12 When a committee reports a bill to the floor, the  
13 committee shall state in the report whether a fiscal  
14 note is or is not required.

15 The fiscal services director or the director's  
16 designee shall review all bills placed on the senate  
17 or house calendars to determine whether the bills are  
18 subject to this rule.

19 Additionally, a legislator may request the  
20 preparation of a fiscal note by the fiscal services  
21 staff for any bill or joint resolution introduced which  
22 reasonably could be subject to this rule.

23 The fiscal services director or the director's  
24 designee shall cause to be prepared and shall approve  
25 a fiscal note within a reasonable time after receiving  
26 a request or determining that a bill is subject to  
27 this rule. All fiscal notes approved by the fiscal  
28 services director shall be transmitted immediately to  
29 the secretary of the senate or the chief clerk of the  
30 house, after notifying the sponsor of the bill that a

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1 fiscal note has been prepared, for publication in the  
2 daily clip sheet. The secretary of the senate or chief  
3 clerk of the house shall attach the fiscal note to the  
4 bill as soon as it is available.

5 The fiscal services director may request the  
6 cooperation of any state department or agency in  
7 preparing a fiscal note.

8 A revised fiscal note may be requested by a  
9 legislator if the fiscal effect of the bill has been  
10 changed by adoption of an amendment. However, a  
11 request for a revised fiscal note shall not delay  
12 action on a bill unless so ordered by the presiding  
13 officer of the house in which the bill is under  
14 consideration.

15 If a date for adjournment has been set, then a  
16 constitutional majority of the house in which the  
17 bill is under consideration may waive the fiscal note  
18 requirement during the three days prior to the date set  
19 for adjournment.

#### 20 Rule 18

##### 21 Legislative Interns

22 Legislators may arrange student internships during  
23 the legislative session with Iowa college, university,  
24 or law school students, for which the students may  
25 receive college credit at the discretion of their  
26 schools. Each legislator is allowed only one intern  
27 at a time per legislative session, and all interns must  
28 be registered with the offices of the secretary of the  
29 senate and the chief clerk of the house.

30 The purpose of the legislative intern program shall

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1 be: to provide useful staff services to legislators  
2 not otherwise provided by the general assembly; to give  
3 interested college, graduate, and law school students  
4 practical experience in the legislative process as well  
5 as providing a meaningful educational experience; and  
6 to enrich the curriculum of participating colleges and  
7 universities.

8 The secretary of the senate and the chief clerk of  
9 the house or their designees shall have the following  
10 responsibilities as regards the legislative intern  
11 program:

12 1. Identify a supervising faculty member at each  
13 participating institution who shall be responsible  
14 for authorizing students to participate in the intern  
15 program.

16 2. Provide legislators with a list of participating  
17 institutions and the names of supervising professors to

18 contact if interested in arranging for an intern.  
19 3. Provide interns with name badges which will  
20 allow them access to the floor of either house when  
21 required to be present by the legislators for whom they  
22 work.

23 4. Provide orientation materials to interns prior  
24 to the convening of each session.

25 Rule 19  
26 Administrative Rules Review Committee Bills and Rule  
27 Referrals

28 A bill which relates to departmental rules and  
29 which is approved by the administrative rules review  
30 committee by a majority of the committee's members

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1 of each house is eligible for introduction in either  
2 house at any time and must be referred to a standing  
3 committee, which must take action on the bill within  
4 three weeks of referral, except bills referred to  
5 appropriations and ways and means committees.  
6 If, on or after July 1, 1999, the administrative  
7 rules review committee delays the effective date of a  
8 rule until the adjournment of the next regular session  
9 of the general assembly and the speaker of the house  
10 or the president of the senate refers the rule to a  
11 standing committee, the standing committee shall review  
12 the rule within twenty-one days of the referral and  
13 shall take formal committee action by sponsoring a  
14 joint resolution to disapprove the rule, by proposing  
15 legislation relating to the rule, or by refusing to  
16 propose a joint resolution or legislation concerning  
17 the rule. The standing committee shall inform the  
18 administrative rules review committee of the committee  
19 action taken concerning the rule.

20 Rule 20  
21 Time of Committee Passage and Consideration of Bills

22 1. This rule does not apply to concurrent or  
23 simple resolutions, joint resolutions nullifying  
24 administrative rules, senate confirmations, bills  
25 embodying redistricting plans prepared by the  
26 legislative services agency pursuant to chapter  
27 42, or bills passed by both houses in different  
28 forms. Subsection 2 of this rule does not apply to  
29 appropriations bills, ways and means bills, government  
30 oversight bills, legalizing acts, administrative

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1 rules review committee bills, bills sponsored by  
2 standing committees in response to a referral from  
3 the president of the senate or the speaker of the

4 house of representatives relating to an administrative  
5 rule whose effective date has been delayed until the  
6 adjournment of the next regular session of the general  
7 assembly by the administrative rules review committee,  
8 bills cosponsored by majority and minority floor  
9 leaders of one house, bills in conference committee,  
10 and companion bills sponsored by the majority floor  
11 leaders of both houses after consultation with the  
12 respective minority floor leaders. For the purposes of  
13 this rule, a joint resolution is considered as a bill.  
14 To be considered an appropriations, ways and means,  
15 or government oversight bill for the purposes of this  
16 rule, the appropriations committee, the ways and means  
17 committee, or the government oversight committee must  
18 either be the sponsor of the bill or the committee of  
19 first referral in the originating house.  
20 2. To be placed on the calendar in the house of  
21 origin, a bill must be first reported out of a standing  
22 committee by Friday of the 8th week of the first  
23 session and the 8th week of the second session. To be  
24 placed on the calendar in the other house, a bill must  
25 be first reported out of a standing committee by Friday  
26 of the 12th week of the first session and the 11th week  
27 of the second session.  
28 3. During the 10th week of the first session and  
29 the 9th week of the second session, each house shall  
30 consider only bills originating in that house and

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1 unfinished business. During the 13th week of the  
2 first session and the 12th week of the second session,  
3 each house shall consider only bills originating in  
4 the other house and unfinished business. Beginning  
5 with the 14th week of the first session and the 13th  
6 week of the second session, each house shall consider  
7 only bills passed by both houses, bills exempt from  
8 subsection 2, and unfinished business.  
9 4. A motion to reconsider filed and not disposed  
10 of on an action taken on a bill or resolution which is  
11 subject to a deadline under this rule may be called up  
12 at any time before or after the day of the deadline by  
13 the person filing the motion or after the deadline by  
14 the majority floor leader, notwithstanding any other  
15 rule to the contrary.

16 Rule 21  
17 Resolutions

18 1. A "concurrent resolution" is A resolution to  
19 be adopted by both houses of the general assembly  
20 which expresses the sentiment of the general assembly  
21 or deals with temporary legislative matters. It  
22 may authorize the expenditure, for any legislative

23 purpose, of funds appropriated to the general assembly.  
24 A concurrent resolution is not limited to, but may  
25 provide for a joint convention of the general assembly,  
26 adjournment or recess of the general assembly, or  
27 requests to a state agency or to the general assembly  
28 or a committee. A concurrent resolution requires  
29 the affirmative vote of a majority of the senators or  
30 representatives present and voting unless otherwise

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1 specified by statute. A concurrent resolution does  
2 not require the governor's approval unless otherwise  
3 specified by statute. A concurrent resolution shall  
4 be filed with the secretary of the senate or the chief  
5 clerk of the house. A concurrent resolution shall be  
6 printed in the bound journal after its adoption.  
7 2. A "joint resolution" is A resolution which  
8 requires for approval the affirmative vote of a  
9 constitutional majority of each house of the general  
10 assembly. A joint resolution which appropriates funds  
11 or enacts temporary laws must contain the clause "Be It  
12 Enacted by the General Assembly of the State of Iowa:",  
13 is equivalent to a bill, and must be transmitted to  
14 the governor for approval. A joint resolution which  
15 proposes amendments to the Constitution of the State  
16 of Iowa, ratifies amendments to the Constitution of  
17 the United States, proposes a request to Congress  
18 or an agency of the government of the United States  
19 of America, proposes to Congress an amendment to the  
20 Constitution of the United States of America, nullifies  
21 an administrative rule, or creates a special commission  
22 or committee must contain the clause "Be It Resolved by  
23 the General Assembly of the State of Iowa:" and shall  
24 not be transmitted to the governor. A joint resolution  
25 shall not amend a statute in the Code of Iowa.  
26 Rule 22  
27 Nullification Resolutions  
28 A "nullification resolution" is a joint resolution  
29 which nullifies all of an administrative rule, or  
30 a severable item of an administrative rule adopted

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1 pursuant to chapter 17A of the Code. A nullification  
2 resolution shall not amend an administrative rule by  
3 adding language or by inserting new language in lieu of  
4 existing language.  
5 A nullification resolution is debatable, but cannot  
6 be amended on the floor of the house or senate. The  
7 effective date of a nullification resolution shall  
8 be stated in the resolution. Any motions filed to

9 reconsider adoption of a nullification resolution  
10 must be disposed of within one legislative day of the  
11 filing.

12 Rule 23

13 Consideration of Vetoes

14 1. The senate and house calendar shall include a  
15 list known as the "Veto Calendar." The veto calendar  
16 shall consist of:

17 a. Bills returned to that house by the governor  
18 in accordance with Article III, section 16 of the  
19 Constitution of the State of Iowa.

20 b. Appropriations items returned to that house by  
21 the governor in accordance with Article III, section 16  
22 of the Constitution of the State of Iowa.

23 c. Bills and appropriations items received from the  
24 other house after that house has voted to override a  
25 veto of them by the governor.

26 2. Vetoes bills and appropriations items shall  
27 automatically be placed on the veto calendar upon  
28 receipt. Vetoes bills and appropriations items shall  
29 not be referred to committee.

30 3. Upon first publication in the veto calendar, the

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1 senate majority leader or the house majority leader  
2 may call up a vetoed bill or appropriations item at any  
3 time.

4 4. The affirmative vote of two-thirds of the  
5 members of the body by record roll call is required on  
6 a motion to override an executive veto or item veto.

7 5. A motion to override an executive veto or item  
8 veto is debatable. A vetoed bill or appropriation item  
9 cannot be amended in this case.

10 6. The vote by which a motion to override an  
11 executive veto or item veto passes or fails to pass  
12 either house is not subject to reconsideration under  
13 senate rule 24 or house rule 73.

14 7. The secretary of the senate or the chief clerk  
15 of the house shall immediately notify the other house  
16 of the adoption or rejection of a motion to override an  
17 executive veto or item veto.

18 8. All bills and appropriations items on the veto  
19 calendar shall be disposed of before adjournment sine  
20 die, unless the house having a bill or appropriation  
21 item before it declines to do so by unanimous consent.

22 9. Bills and appropriations items on the veto  
23 calendar are exempt from deadlines imposed by joint  
24 rule 20.

25 Rule 24

26 Special Rules Regarding Redistricting ~~for 2010~~

27 1. If, pursuant to chapter 42, either the senate or



28 the house of representatives rejects a redistricting  
29 plan submitted by the legislative services agency, the  
30 house rejecting the plan shall convey the reasons for

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1 the rejection of the plan to the legislative services  
2 agency by resolution.  
3 2. If, pursuant to chapter 42, the legislative  
4 services agency submits a third redistricting plan  
5 as provided by law, the senate and the house of  
6 representatives, when considering a bill embodying the  
7 third plan, shall be allowed to accept for filing as  
8 amendments only such amendments which constitute the  
9 total text of a congressional plan without striking  
10 a legislative redistricting plan, the total text of  
11 a legislative redistricting plan without striking a  
12 congressional plan, or the combined total text of a  
13 congressional plan and a legislative redistricting  
14 plan, and nonsubstantive, technical corrections to the  
15 text of any such bills or amendments.

The motion prevailed and the resolution was adopted.

#### ADOPTION OF [HOUSE RESOLUTION 7](#)

Windschitl of Harrison called up for consideration [House  
Resolution 7](#), as follows, and moved its adoption:

#### [HOUSE RESOLUTION 7](#)

##### BY COMMITTEE ON ADMINISTRATION AND RULES

1 A resolution relating to permanent rules of the House  
2 of Representatives for the Eighty-fifth General  
3 Assembly.  
4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That  
5 the permanent rules of the House for the ~~eighty fourth~~  
6 ~~general assembly~~ [Eighty-fifth General Assembly](#) be as  
7 follows:  
8 DIVISION I - GENERAL RULES  
9 Rule 1  
10 Call to Order and Order of Business  
11 The speaker shall take the chair at the hour to  
12 which the house has adjourned, and shall immediately  
13 call the house to order, correct the journal of the  
14 previous day's proceedings, and proceed to other  
15 business, including, but not limited to, introduction  
16 of bills, reports, messages, communications, business  
17 pending at adjournment, announcements, resolutions  
18 and bills on their passage, and points of personal  
19 privilege.

20 Rule 2

21 Quorum Call and Time of Convening

22 The house shall convene each Monday at 1:00 p.m.

23 and at 8:30 a.m. on all other legislative days, unless

24 otherwise ordered. The time of convening shall be

25 recorded in the journal. The house shall not convene

26 on Sunday during a regular or special session.

27 The speaker or a member may request a roll call to

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1 determine if a quorum is present.

2 Rule 3

3 Absences from the House

4 No member shall be absent without leave while the

5 house is in session unless 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. Subject to an appeal to the

10 house by any member, the speaker shall decide questions

11 of order which shall not be debated.

12 The speaker may have the chamber of the house

13 cleared in case of any disturbance or disorderly

14 conduct.

15 Only past legislators, state officials, persons

16 whose presence is deemed by the speaker to be of

17 special significance to the house, and school classes

18 accompanied by teachers and seated in the galleries

19 shall be introduced in the house.

20 No person other than a member of the house shall be

21 allowed to speak from the floor of the house without

22 prior permission of the speaker.

23 The public may take photographs from the galleries

24 at any time. However, the use of flash bulbs or any

25 other artificial lighting is prohibited.

26 Members of the press may photograph from the press

27 box, but shall not use artificial lighting without

28 prior permission from the chief clerk of the house.

29 Photographs shall not be taken on the house floor when

30 the members are voting on a question put before the

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1 house. Photographs or video recordings of the voting

2 boards shall not be taken while a nonrecord roll call

3 vote is displayed. Photographs may be taken on the

4 house floor at other times with the consent of the

5 subject or subjects of the photography.

6 Rule 4A

7 Use of Electronic Devices and Video Streaming in

8 Chamber

9 1. A person present in the house chamber while the  
10 house is in order shall mute any cell phone, computer,  
11 or other electronic device under the person's control.  
12 The speaker may remove from the chamber any person  
13 acting in violation of this rule.

14 2. A member shall not use a cell phone or other  
15 electronic device to audibly transmit or receive  
16 communications while recognized by the presiding  
17 officer to speak in debate.

18 3. The speaker shall control the time, place,  
19 and manner of use of the house's internet video  
20 streaming system on the floor of the house and in the  
21 visitors' galleries. However, the speaker shall not  
22 edit, censor, or shut off the house's internet video  
23 streaming system during debate on the floor of the  
24 house.

25 Rule 5

26 Rules of Parliamentary Practice

27 The rules of parliamentary practice in Mason's  
28 Manual of Legislative Procedure shall govern the house  
29 in all cases where they are not inconsistent with the  
30 standing rules of the house, joint rules of the house

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1 and senate, or customary practice of the house.

2 Rule 5A

3 House Budget

4 The speaker of the house shall annually prepare a  
5 proposed budget for the house of representatives for  
6 the payment of expenses, salaries, per diems, and other  
7 items. The proposed budget shall be submitted on the  
8 fourteenth day of each legislative session to the house  
9 administration and rules committee, which shall approve  
10 a proposed budget in house resolution form. The house  
11 shall adopt a budget prior to adjournment.

12 Rule 6

13 The Speaker Pro Tempore

14 The house shall, at its pleasure, elect a speaker  
15 pro tempore. When the speaker shall for any cause be  
16 absent, the speaker pro tempore shall preside, except  
17 when the chair is filled by appointment by either  
18 the speaker or the speaker pro tempore. If a vacancy  
19 occurs in the office of speaker, the speaker pro  
20 tempore shall assume the duties and responsibilities  
21 of the speaker until such time as the house shall elect  
22 a new speaker. The speaker or the speaker pro tempore  
23 shall have the right to name any member to perform the  
24 duties of speaker, but such substitution shall not  
25 extend beyond the adjournment. The acts of the speaker  
26 pro tempore shall have the same validity as those of  
27 the speaker. In the absence of both the speaker and

28 the speaker pro tempore, the house shall name a speaker  
29 who shall preside over it and perform all the duties of  
30 the speaker with the exception of signing bills, until

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1 such time as the speaker or speaker pro tempore shall  
2 be present, and the person's acts shall have the same  
3 force and validity as those of the regularly elected  
4 speaker.

5                   Rule 7

6                   Amendment of Rules

7 A motion to change or rescind a standing rule or  
8 order of the house requires one day's notice.

9                   Rule 8

10                  Violation of House Rules

11 The speaker shall, or any member may, call to order  
12 a member who violates the rules of the house. With  
13 leave of the house, the member called to order may be  
14 permitted to explain. If the case requires it, the  
15 member shall be subject to censure of the house.

16                   Rule 9

17                  Referral of Rule Violations

18 The speaker shall, upon complaint of a member,  
19 or upon the speaker's own motion, refer any alleged  
20 violation of house or joint rules by house members,  
21 employees or staff to the house ethics committee upon  
22 an initial finding that an investigation is warranted.

23 The ethics committee shall investigate such  
24 allegations and report them back to the house with a  
25 recommendation.

26                   Rule 10

27                  Recognition and Decorum in Debate

28 A member who wishes to speak in debate shall be  
29 appropriately attired, with male members wearing coat  
30 or tie. After recognition by the chair, a member

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1 shall respectfully address the presiding officer  
2 by saying "Mr. or Madam Speaker". A member shall  
3 confine all remarks to the question under debate,  
4 shall be respectful of other members, and shall avoid  
5 referencing or questioning the motives of another  
6 member.

7                   Rule 11

8                   Limit on Debate

9 No member shall speak more than once on the same  
10 question without leave of the speaker, nor more than  
11 twice until every member choosing to speak has spoken,  
12 except as provided in Rule 81. A member shall be  
13 limited to ten minutes debate on bills, resolutions,

14 and amendments, but may be granted an extension of time  
15 by consent of the house. However, the floor manager  
16 of a bill or resolution and the lead sponsor of an  
17 amendment may exceed the ten-minute limit on opening  
18 and closing remarks.

19           Rule 12

20           Decorum During Debate

21 No member shall leave the house while the speaker  
22 is putting a question. No one shall pass between the  
23 speaker and a member who is speaking or two members who  
24 have been recognized by the speaker.

25           Rule 13

26           Stating the Question

27 When a motion is made, it shall be stated by the  
28 speaker. A motion made in writing shall be passed to  
29 the speaker's station before it is debated.

30           Rule 14

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1           Putting the Question

2 Questions shall be distinctly put in this form:

3 "All those in favor of (the question) shall say 'aye';"

4 and after the affirmative voice is expressed, "All

5 those opposed to (the question) shall say 'no'."

6 If the speaker is in doubt or a member of the house

7 requests, a nonrecord roll call vote shall be taken.

8           DIVISION II - EMPLOYEES OF THE HOUSE

9           Rule 15

10          Chief Clerk of the House

11 The chief clerk of the house shall serve as

12 parliamentarian and chief administrative officer of the  
13 house under the direction of the speaker of the house.

14 The chief clerk shall supervise the chief clerk's

15 office; be responsible for the custody and safekeeping

16 of all bills, resolutions, and amendments filed,

17 except when they are in the custody of a committee;

18 have charge of the daily journal; have control of all

19 rooms assigned for the use of the house; attest to the

20 accuracy and correctness of text and action on bills

21 and resolutions; process the handling of amendments

22 when filed and during the floor consideration of bills;

23 insert adopted amendments into bills before transmittal

24 to the senate and prior to final enrollment; supervise

25 legislative printing and the distribution of printed

26 material; and perform all other duties pertaining to

27 the office of the chief clerk.

28           Rule 16

29           Legislative and Session Days

30 For purposes of these rules, a legislative day is a

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1 day when the house is called to order. A legislative  
2 day that runs past midnight is not considered a new  
3 legislative day. A session day is any calendar day  
4 beginning with the convening of the annual regular  
5 session and ending with adjournment sine die.

## 6 Rule 17

## 7 Sergeant-At-Arms

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

## 17 Rule 18

## 18 Secretaries

19 Each member may hire a secretary for the legislative  
20 session who shall be under the general direction of the  
21 member and the chief clerk. Secretaries shall be on  
22 duty at the house from 8:00 a.m. to 4:30 p.m. Monday  
23 through Thursday and on other legislative days when  
24 required by the chief clerk, except when excused by the  
25 member for whom the secretary works. Secretaries shall  
26 perform such duties as may be assigned to them by the  
27 member or the chief clerk.

## 28 Rule 19

## 29 Extra Compensation of Employees

30 No employee shall receive any extra compensation,

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1 except as provided by the house, or tips for services  
2 performed while on duty. Any violation of this rule  
3 shall be grounds for removal.

## 4 DIVISION III - VISITORS AND LOBBYISTS

## 5 Rule 20

## 6 Admission to the House; Lobbying

7 The chamber of the house shall include the  
8 vestibule, restrooms, bill room, lounge, visitors'  
9 galleries, and floor of the house.

10 The floor of the house shall consist of the  
11 area between the north and south walls, including  
12 the representatives' desks, the press box, and the  
13 speaker's station, but excluding the visitors'  
14 galleries.

15 During a legislative day while the house is in  
16 order, no member of the general assembly or legislative  
17 employee or intern shall be admitted to the floor of

18 the house if attired in jeans of any color without  
19 leave of the speaker.  
20 During a legislative day while the house is in  
21 order, and one-half hour before the house convenes and  
22 one-half hour after the house recesses or adjourns,  
23 no person shall be admitted to the floor of the house  
24 except:  
25 1. Members of the general assembly and authorized  
26 legislative employees in the performance of their  
27 duties.  
28 2. Former members of the general assembly who are  
29 not registered lobbyists.  
30 3. A general assembly member's family.

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1 4. Representatives of the press, radio, and  
2 television who shall go directly to and from the press  
3 box.  
4 5. Legislative interns registered with the chief  
5 clerk who shall go directly to and from the seat of  
6 their assigned representative or to be seated in the  
7 perimeter seating area.  
8 6. Designated representatives of a political party  
9 having members serving in the house.  
10 7. Members of the state executive council, the  
11 lieutenant governor, the attorney general, the  
12 governor's executive assistants and administrative  
13 assistants, and the administrative rules coordinator,  
14 all of whom shall be confined to the perimeter area.  
15 The current status of former members of the general  
16 assembly shall govern their access to the floor under  
17 these rules.  
18 No other persons shall be allowed on the house floor  
19 while the house is in order without permission of the  
20 presiding officer of the house. When the house is not  
21 in order, guests of a member of the general assembly  
22 escorted by that member shall be allowed on the house  
23 floor.  
24 No person admitted to the floor of the house while  
25 the house is in order, except members of the general  
26 assembly, shall lobby or attempt to exercise any  
27 influence with any member for or against any matter  
28 then pending or that may thereafter be considered by  
29 the house.  
30 A registered lobbyist shall not be admitted to

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1 the floor of the house on any legislative day except  
2 for ceremonial purposes or for attendance at public  
3 hearings.

4 A lobbyist who represents the position of a state  
5 government agency, in which the person serves or is  
6 employed as the designated representative for purposes  
7 of encouraging the passage or defeat of legislation,  
8 shall file with the chief clerk of the house a  
9 statement of the general subjects of legislation in  
10 which the lobbyist is or may be interested, but shall  
11 not lobby for or against a bill, resolution, or study  
12 bill unless the lobbyist does so with the written  
13 authorization and on behalf of a statewide elected  
14 or retained official. The official's writing may  
15 authorize the lobbyist to register and lobby for or  
16 against any or all bills in which the lobbyist is  
17 or may be interested or may restrict the lobbyist  
18 to register and lobby for or against only some bills  
19 in which the lobbyist is or may be interested. The  
20 written authorizations shall be filed with the chief  
21 clerk, according to a procedure established by the  
22 clerk for the filing of the authorizations and for  
23 making them available to the public, by the following  
24 statewide elected or retained official for the  
25 following offices, departments, agencies, and branch:  
26 By the attorney general, auditor of state, secretary  
27 of state, and treasurer of state, for their respective  
28 offices.  
29 By the secretary of agriculture, for the department  
30 of agriculture and land stewardship.

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1 By the chairperson of the ethics and campaign  
2 disclosure board, for the executive director, legal  
3 counsel, and other employees of the board.  
4 By the governor, for all other executive branch  
5 offices and departments.  
6 By the chief justice of the supreme court, for the  
7 judicial branch.  
8 Each member, employee of the house, and registered  
9 lobbyist may report violations of this rule immediately  
10 to the sergeant-at-arms or the chief clerk.  
11 Any person for cause may be summarily dismissed  
12 from the chamber of the house, by action of the house,  
13 and may forfeit that person's right to admission  
14 thereafter.

15 Rule 20A  
16 Legislative Interns

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

21 Rule 21  
22 Distribution of Literature and Other Items



23 No person except a member or employee of the house  
24 of representatives shall distribute or cause to be  
25 distributed any pamphlets, material, or other printed  
26 literature, or any other items to the members' desks  
27 in the house without authorization. An employee  
28 of the house shall generally distribute or cause  
29 to be distributed such literature or items only on  
30 behalf of the employee's office or staff. Items which

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1 are permissible gifts under chapter 68B of the Code  
2 may be distributed to the members' desks with the  
3 authorization of the chief clerk.  
4 All copies of pamphlets, material, or printed  
5 literature distributed by a member or employee of the  
6 house of representatives shall bear the name of the  
7 member or employee's office or staff.  
8 Other distributions of pamphlets, material, or  
9 other printed literature shall bear their source of  
10 origin and be distributed through the legislative  
11 post office or to the members' desks by completing  
12 a form containing a member's or the chief clerk's  
13 authorization, with the authorization form filed with  
14 the chief clerk. The authorization form shall be  
15 retained for a reasonable time period by the chief  
16 clerk.

17 Rule 22

18 Distribution of Materials Printed by the State  
19 A member of the house shall not distribute maps,  
20 books, and pamphlets which have been printed by the  
21 state of Iowa and upon which the name of the member  
22 of the house has been affixed unless the member has  
23 purchased the materials or unless the member has  
24 affixed the words "Paid for by the citizens of Iowa and  
25 distributed by representative (member's name)."  
26 DIVISION IV - FORMS AND PROCEDURES FOR BILLS AND OTHER  
27 DOCUMENTS

28 Rule 23

29 Documents Signed by the Speaker  
30 All acts and joint resolutions shall be signed by

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1 the speaker, and all writs, warrants, and subpoenas  
2 issued by order of the house, shall be signed by the  
3 speaker and attested by the chief clerk. The speaker  
4 shall cause certificates of recognition or condolence  
5 to be issued by the house which shall be signed by  
6 the speaker and the chief clerk. The chief clerk  
7 shall maintain a list of certificates issued including  
8 the name of the requesting member of the house, the

9 name of the recipient, the reason for recognition or  
10 condolence, and the date of issuance.

11 Rule 24

12 Presentation of Petitions

13 All petitions, memorials, and other papers addressed  
14 to the house shall be signed by the member and filed  
15 with the chief clerk. The receipt of petitions shall  
16 be noted in the journal and such petitions shall be  
17 available in the office of the chief clerk.

18 Rule 25

19 Consideration of Simple and Concurrent Resolutions

20 Action on a simple or concurrent resolution, except  
21 a memorial resolution, shall not be taken until one day  
22 after the resolution has been placed on the members'  
23 desks. After the resolution is adopted, the chief  
24 clerk shall have the resolution printed in the compiled  
25 journal and shall transmit certified copies of the  
26 resolution as directed.

27 Rule 26

28 Unanimous Consent Calendar

29 The speaker may, upon the request of three members,  
30 place on a unanimous consent calendar any house

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1 resolution or concurrent resolution which does not  
2 contain an appropriation and which has been laid over  
3 under Rule 25.

4 If such resolution is placed on the unanimous  
5 consent calendar, it may be removed only upon a written  
6 request submitted to the speaker by a member of the  
7 house.

8 If not removed after five legislative days, the  
9 chief clerk shall call up the resolution and without  
10 debate the speaker shall pronounce that it has passed  
11 by unanimous consent.

12 If the resolution is removed from the unanimous  
13 consent calendar, the speaker may again lay the  
14 resolution over under Rule 25, place it on a different  
15 calendar, or refer the resolution to any of the  
16 standing committees of the house.

17 Rule 26A

18 Senate Bills and Resolutions

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

21 Rule 27

22 Forms of Bills and Joint Resolutions

23 Every house bill shall be introduced by one or more  
24 members or by any standing or specially authorized  
25 committee of the house or the administrative rules  
26 review committee. All bills and joint resolutions  
27 introduced shall be prepared by the legislative

28 services agency with title, enacting clause, text  
29 and explanation as directed by the chief clerk of the  
30 house. One copy of each bill shall be presented in a

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1 bill cover with the number of copies of the bill and  
2 the title as directed by the chief clerk.

3                   Rule 28

4     Joint and Nullification Resolutions

5     Joint resolutions shall be framed and treated as  
6 bills.

7     A "nullification resolution" is a joint resolution  
8 which nullifies all of an administrative rule, or  
9 a severable item of an administrative rule adopted  
10 pursuant to chapter 17A of the Code. A nullification  
11 resolution shall not amend an administrative rule by  
12 adding language or by inserting new language in lieu of  
13 existing language.

14     A nullification resolution may be introduced by an  
15 individual, a standing committee or the administrative  
16 rules review committee, and may be referred to a  
17 standing committee. A nullification resolution is  
18 debatable, but cannot be amended on the floor of the  
19 house.

20                   Rule 29

21     Time of Introduction of Bills

22     No bill or joint resolution under individual  
23 sponsorship, other than a nullification resolution,  
24 shall be read for the first time after 4:30 p.m. on  
25 Friday of the fifth week of the first regular session  
26 of the general assembly unless a formal request for  
27 drafting the bill has been filed with the legislative  
28 services agency before that time.

29     After adjournment of the first regular session,  
30 bills may be prefiled at any time before the convening

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

9     However, bills or joint resolutions sponsored  
10 by standing committees or the administrative rules  
11 review committee, co-sponsored by the majority and  
12 minority floor leaders, or companion bills sponsored  
13 by the house majority leader and the senate majority

14 leader may be drafted and introduced at any time  
15 permissible under Joint Rule 20. House, concurrent,  
16 and nullification resolutions may be introduced at any  
17 time.

18                   Rule 30

19 Introduction and Reading of Bills

20 All bills and resolutions to be introduced in the  
21 house shall be prepared in proper form and filed  
22 with the chief clerk no later than 4:30 p.m. on the  
23 legislative day preceding its introduction.

24 Every bill shall receive two readings but no bill  
25 shall receive its first and last readings on the same  
26 day.

27 A "reading of a bill" as required by these rules  
28 shall consist of a reading of the title and enacting  
29 clause.

30                   Rule 31

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1 First Reading, Commitment, and Amendment

2 1. A bill is introduced into the house by an  
3 initial or "first reading of the bill".

4 2. When the house is in session the first reading  
5 shall consist of a "reading" as provided in Rule 30.

6 3. Upon a first reading of the bill, the speaker  
7 shall state that it is ready for commitment or  
8 amendment; and the speaker shall commit it to the  
9 standing or select committee, or to a committee of the  
10 whole house. If to a committee of the whole house, the  
11 house shall determine on what day.

12 4. On a nonlegislative day the speaker may cause a  
13 statement, which shall consist of the title, enacting  
14 clause, bill number and committee to which the bill  
15 is referred, to be published in the house journal.  
16 This publication shall constitute a first reading and  
17 commitment and shall contain the notation "read and  
18 committed under Rule 31".

19 5. All amendments offered to bills and resolutions  
20 shall be accompanied by such copies as the chief clerk  
21 shall direct.

22 6. Such amendments shall give the number of  
23 the bill sought to amend and the chief clerk shall  
24 designate each such amendment thus: Amendment to  
25 House File \_\_\_\_\_, or Senate File \_\_\_\_\_, by  
26 \_\_\_\_\_.

27 7. A bill reported out by committee shall go to the  
28 speaker who shall direct that the bill be placed on the  
29 regular calendar unless it covers subject matter more  
30 properly within the jurisdiction of some other standing

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1 committee, in which case the speaker shall refer the  
2 bill to the proper standing committee. In order to  
3 expedite important business and set a definite time for  
4 the bill's consideration, the speaker may direct the  
5 bill to be placed on the special order calendar.  
6 8. No amendment to the rules of the house, to any  
7 resolution or bill, except technical amendments and  
8 amendments to bills substituted for by senate files  
9 containing substantially identical title, language,  
10 subject matter, purpose and intrasectional arrangement,  
11 shall be considered by the membership of the house  
12 without a copy of the amendment having been filed with  
13 the chief clerk by 4:00 p.m. or within one-half hour of  
14 adjournment, whichever is later, on the day preceding  
15 floor debate on the amendment. If the house adjourns  
16 prior to 2:00 p.m. on Friday, the final deadline is two  
17 hours after adjournment. However, committee amendments  
18 filed pursuant to the submission of the committee  
19 report may be accepted after this deadline. This  
20 provision shall not apply to any proposal debated on  
21 the floor of the house after the thirteenth week of  
22 the first session and the twelfth week of the second  
23 session. No amendment or amendment to an amendment  
24 to a bill, rule of the house, or resolution shall be  
25 considered by the membership of the house without  
26 a copy of the amendment being on the desks of the  
27 entire membership of the house prior to consideration.  
28 However, the membership of the house may consider an  
29 amendment or an amendment to an amendment to a bill,  
30 rule of the house, or resolution without a copy of the

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1 amendment being on the desks of the entire membership  
2 of the house prior to consideration if a copy of the  
3 amendment is made available to the entire membership of  
4 the house electronically.  
5           Rule 32  
6 Commitment of Appropriation and Revenue Bills  
7 All bills to appropriate money shall be referred to  
8 the appropriations committee, and all bills pertaining  
9 to the levy, assessment, or collection of taxes or fees  
10 shall be referred to the committee on ways and means.  
11           Rule 33  
12           Regular Calendar  
13 Bills, nullification resolutions, and joint  
14 resolutions reported out for passage, amendment and  
15 passage, or without recommendation by a committee,  
16 or passed on file shall be arranged on a regular  
17 calendar by the chief clerk each day and electronically

18 distributed to the members at the opening of each  
19 legislative day. The regular calendar shall include  
20 a list of bills, nullification resolutions, and joint  
21 resolutions which have been special ordered, including  
22 the date upon which debate is scheduled to begin  
23 on each of them, which shall be no sooner than five  
24 session days from the first date of publication on the  
25 regular calendar.

26 Rule 34

27 Daily Debate Calendar

28 The majority floor leadership shall cause to  
29 be prepared and distributed to the members at the  
30 opening of each legislative day when floor action is

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1 scheduled, a daily debate calendar consisting of bills,  
2 nullification resolutions, and joint resolutions from  
3 the regular calendar setting forth the number and  
4 title of bills, nullification resolutions, and joint  
5 resolutions for the next legislative day that floor  
6 action is scheduled.

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

10 Rule 35

11 Substitution of Bills

12 A senate bill or resolution may be substituted  
13 for an identical house bill or resolution which has  
14 been called up for debate. An amendment to a senate  
15 bill or resolution which has been substituted for an  
16 identical house bill or resolution is out of order if  
17 an identical amendment to the house bill or resolution  
18 was considered.

19 Rule 36

20 Consideration of Committee Amendments

21 After a bill has been referred and reported back,  
22 it shall be considered on its first reading after the  
23 amendments of the committee have been read.

24 Rule 37

25 Amendments to Special Order Bills

26 All amendments to bills which have been special  
27 ordered shall be filed at least three session days  
28 prior to the date set for debate. Amendments to an  
29 amendment shall be filed at least two session days  
30 prior to the date set for debate. However, corrective

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1 amendments and amendments sponsored by either the  
2 majority floor leader or the minority floor leader may  
3 be filed at any time. Rule 31, subsection 8, shall not

4 apply to these amendments.

5 A corrective amendment is an amendment which does  
6 not substantively change the amendment or the bill.

7 Rule 38

8 Germane Amendments

9 An amendment must be germane to the subject matter  
10 of the bill it seeks to amend. An amendment to an  
11 amendment must be germane to both the amendment and the  
12 bill it seeks to amend. When a member objects to an  
13 amendment on grounds that the amendment is not germane,  
14 the speaker may invite members, who shall include the  
15 majority and minority leaders, to the speaker's station  
16 to discuss the objection.

17 Rule 39

18 Consideration of Bills

19 Bills, including committee bills, joint resolutions,  
20 and nullification resolutions, reported out for  
21 passage, for amendment and passage, or without  
22 recommendation by the committee, are first eligible to  
23 be acted upon beginning the third legislative day they  
24 appear on the regular calendar.

25 Committee reports shall be printed in the journal  
26 immediately after they are filed with the chief clerk.  
27 Reports recommending bills, joint resolutions, and  
28 nullification resolutions for passage, for amendment  
29 and passage, or without recommendation shall stand  
30 approved unless written objections are filed during

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1 the first legislative day following their printing in  
2 the journal. If objections are filed, they shall be  
3 disposed of as soon as possible.

4 Rule 40

5 Consideration of Bills Upon Last Reading

6 No amendment, unless by way of correcting an error  
7 or omission, shall be received to any bill on its last  
8 reading, and no debate shall be allowed on it.

9 Rule 41

10 Printing of Bills and Joint Resolutions

11 Bills and joint resolutions shall be printed in form  
12 as provided by law and by rule. Each house may direct  
13 the printing of an additional number of its own bills.

14 Legalizing bills of a local or private nature shall  
15 be printed in bill form and placed in the files of the  
16 members, the same as other bills, in the order of their  
17 introduction. The cost of printing shall be deposited  
18 with the treasurer of state in advance at a rate to be  
19 fixed, and the newspaper publication of the bill shall  
20 be without cost to the state. No legalizing act may  
21 be introduced until all provisions of law have been  
22 complied with.

23                   Rule 42  
24 Certification and Engrossment of Bills  
25 The chief clerk shall certify the passage of each  
26 bill and note the date of its passage.  
27 In engrossing a bill, the chief clerk shall  
28 correct all obvious typographical, spelling, or other  
29 clerical errors and change section subunit numbers  
30 and letters and internal references as required to

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1 conform the original bill to any amendments which have  
2 been adopted. The chief clerk shall report all such  
3 corrections or changes in the journal. The engrossed  
4 bill shall be placed in the bill file with the original  
5 bill and amendments.

6                   Rule 43  
7                   Rereferral

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

11                   Rule 44

12 Effect of Indefinite Postponement  
13 When a question is indefinitely postponed, it shall  
14 not be acted upon again during that session.

15                   Rule 45

16 Status of Bills Following First Regular Session  
17 Except for those bills which have been adopted by  
18 both houses in different forms, all bills which have  
19 not been withdrawn, defeated or indefinitely postponed,  
20 shall be rereferred to committee upon adjournment of  
21 the first regular session. Within seven days after  
22 the first committee meeting following convening of  
23 the second regular session, the committee chair shall  
24 submit the bill to the full committee for action or the  
25 chair shall reassign the bill to a subcommittee.

26 DIVISION V - COMMITTEE PROCEDURES

27                   Rule 46

28 Appointment of Committees

29 All committees shall be appointed by the speaker,  
30 unless otherwise especially directed by the house.

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1 Minority party members of a committee shall be  
2 appointed by the speaker upon recommendation of the  
3 minority leader.

4                   Rule 47

5                   Reserved

6                   Rule 48

7                   Study Bills

8 A study bill is any matter which a member of



9 the house wishes to have considered by a standing  
10 committee, other than appropriations, without being  
11 introduced in the house by a first reading. A  
12 study bill shall be prepared in proper form by the  
13 legislative services agency prior to submission.  
14 Upon taking possession of a study bill, the  
15 committee chair shall notify the speaker and then  
16 submit four copies of the bill to the legal counsel's  
17 office for numbering.  
18 A study bill shall bear the name of the member who  
19 wishes to have the bill considered. A study bill  
20 submitted by a state agency or board for consideration  
21 shall bear the name of the state agency or board. A  
22 committee chair may submit a study bill in the name of  
23 that committee.  
24 Final committee action on a study bill shall not be  
25 taken until one day following the notation of the study  
26 bill assignment in the house journal.  
27                   Rule 49  
28                   Committee Meetings  
29 No committee, except a conference committee or the  
30 administrative rules review committee, shall meet

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1 while the house is in session without special leave.  
2 Committees with overlapping memberships shall not meet  
3 at the same time without special leave.  
4                   Rule 50  
5                   Smoking Prohibited  
6 Smoking shall not be permitted in the house or in  
7 any area of the capitol building.  
8                   Rule 51  
9                   Assignments to Subcommittee  
10 The chair of the committee shall report to the house  
11 the bill number of each bill assigned to subcommittee  
12 and the names of the subcommittee members. The report  
13 shall be printed in the journal.  
14 All bills, prior to consideration by the committee,  
15 shall be referred by the chair to a subcommittee,  
16 unless acted upon by a committee of the whole.  
17 The chair may assign bills to subcommittees without  
18 a meeting of the committee, but the membership of the  
19 subcommittee so appointed shall be reported at the next  
20 meeting of the committee.  
21                   Rule 52  
22                   Open Meetings  
23 Standing committee meetings shall be open, and  
24 voting by secret ballot is prohibited. The committee  
25 on administration and rules may close its meetings to  
26 evaluate the professional competency of an individual.  
27                   Rule 53

## 28 Quorum and Vote Requirements

29 The committee roll shall be taken at the convening  
30 of each meeting to determine the presence of a quorum.

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1 A majority of the committee membership shall constitute  
2 a quorum.

3 An affirmative vote of a majority of the committee  
4 membership is required to report a bill out of  
5 committee or to suspend a committee rule.

6 A motion to reconsider may be made only by a  
7 committee member who voted on the prevailing side of  
8 the question sought to be reconsidered. A motion to  
9 reconsider may only be made prior to the adjournment of  
10 the committee meeting at which the bill was reported  
11 out.

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

## 21 Rule 54

22 Committee Attendance Record and Report of Committee  
23 Form

24 1. A committee attendance record shall be filed  
25 with the chief clerk no later than 10:00 a.m. or two  
26 hours after the house convenes, whichever is later,  
27 of the legislative day immediately following the day  
28 of the committee meeting. The committee attendance  
29 record is a public record and may be published in the  
30 journal. The committee attendance record shall include

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1 the following information:

- 2 a. The time the meeting convened.
- 3 b. The members present at the meeting.
- 4 c. The time the meeting adjourned.
- 5 d. A list of bills receiving final committee  
6 disposition.

7 2. A report of committee form shall be filed with  
8 the chief clerk no later than 10:00 a.m. or two hours  
9 after the house convenes, whichever is later, of the  
10 legislative day immediately following the day of the  
11 committee meeting for each study bill, numbered bill  
12 or resolution receiving final committee disposition.  
13 The report of committee form is a public record and

14 a report of committee action shall be printed in the  
15 journal. The report of committee form shall include  
16 the following information:  
17 a. The committee action taken.  
18 b. The committee amendment number, if any.  
19 c. The roll call vote of the committee on final  
20 disposition.  
21 d. The minority recommendation, if any.  
22 3. Upon final adjournment of the first session  
23 and final adjournment of the second session of the  
24 general assembly, the chair of each committee shall  
25 have placed the committee's book of record containing  
26 minutes, record roll calls on final disposition, record  
27 roll call votes on any amendments considered, rules,  
28 etc., with the chief clerk for access of any interested  
29 person.  
30 Rule 55

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1 Minority Recommendation  
2 The minority of the members of a committee may  
3 present its recommendations on the final disposition  
4 of a bill to the house by attaching its recommendation  
5 to the committee report. The minority recommendation  
6 shall be noted in the journal along with the committee  
7 report.

8 Rule 56

9 Committee Amendment  
10 Whenever a committee amendment is proposed which  
11 would amend another committee amendment, the amendment  
12 shall be drafted in the form of a substitute amendment  
13 and shall be considered as such.

14 Rule 57

15 Committee Notice and Agenda  
16 Each committee shall prepare and publish a notice  
17 and agenda of each committee meeting at least one  
18 legislative day prior to the meeting. The notice and  
19 agenda may be placed on the desks of or transmitted  
20 electronically to committee members.  
21 The notice shall contain the committee name, the  
22 date, time, and location of the meeting.  
23 The agenda shall contain the matters to be  
24 discussed, including a list of bills, joint  
25 resolutions, nullification resolutions, and study  
26 bills by number. The agenda should contain the names  
27 of individuals who are scheduled to appear before the  
28 committee and the organization which they represent.  
29 A bill, joint resolution, nullification resolution,  
30 or study bill shall not be reported out of committee if

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1 the bill was not included in the published notice and  
2 agenda unless this rule is suspended by a majority of  
3 the total membership of the committee.

4 A committee chair may call a meeting without  
5 providing the required notice and agenda upon leave  
6 of the house if a notice is either electronically  
7 transmitted to committee members or placed on the desks  
8 of committee members.

9 Rule 58

10 Clearing of Committee Room

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

13 Rule 58A

14 Use of Telephonic or Electronic Devices in Committee  
15 Rooms Restricted

16 1. In any committee room while a standing committee  
17 is in session:

18 a. A person shall mute any cell phone, computer, or  
19 other electronic device under the person's control.

20 b. A person shall not use a cell phone or other  
21 electronic device to audibly transmit or receive  
22 communications.

23 2. The chair or acting chair of a standing  
24 committee may clear the committee room of any person  
25 acting in violation of this rule.

26 Rule 59

27 Committee Amendments

28 All amendments to a bill or resolution adopted in  
29 committee shall be incorporated in a single committee  
30 amendment or incorporated in a new committee bill.

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1 Rule 60

2 Withdrawal of Bills, Joint Resolutions, or  
3 Nullification Resolutions From Committee

4 A bill, joint resolution, or nullification  
5 resolution which has been in committee for eighteen  
6 legislative days following notation of such referral  
7 in the journal may be withdrawn from the committee and  
8 placed on the calendar by an affirmative vote of not  
9 less than fifty-one members of the house.

10 Rule 61

11 Committee Public Hearings

12 The chair of a committee may call a public hearing  
13 for the purpose of receiving public comment on any  
14 matter within the purview of the committee.

15 The chair shall call a public hearing upon the  
16 written request of committee members according to  
17 committee rules, but no more than one-third of the

18 committee members shall be required.

19 A public hearing shall not be called or requested  
20 after final action on the bill, joint resolution,  
21 or nullification resolution has been taken by the  
22 committee. However, a public hearing called or  
23 requested before final action has been taken by the  
24 committee may be held after final action on the bill,  
25 joint resolution, or nullification resolution has been  
26 taken by the committee.

27 The chair shall designate a time and place for a  
28 public hearing and provide public notice at least five  
29 days prior to a public hearing.

30 A bill, joint resolution, or nullification

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1 resolution for which a public hearing has been called  
2 can be voted to the calendar but cannot be debated  
3 until after the public hearing has been held. If a  
4 bill, joint resolution, or nullification resolution  
5 for which a public hearing has been called is not  
6 debated by the house during the session in which it  
7 is introduced, the request for the public hearing is  
8 deemed to have lapsed upon adjournment sine die of that  
9 session.

10 However, public hearings which have been requested  
11 during or after the 9th week of the first session and  
12 during or after the 7th week of the second session must  
13 be held within four legislative days of the date of the  
14 request.

15 Rule 62

16 Limitation on Filing of Claims

17 All claims shall be referred to the appropriations  
18 committee. A claim referred to the appropriations  
19 committee in a prior session of the general assembly  
20 shall not be considered by the appropriations  
21 committee or by the house unless it has been  
22 specifically referred to this session by a vote of the  
23 appropriations committee. The appropriations committee  
24 is authorized to set a definite date each session after  
25 which it will not receive claims or claim bills for  
26 consideration.

27 DIVISION VI - COMMITTEE OF THE WHOLE

28 Rule 63

29 Organization of Committee of the Whole

30 In forming the committee of the whole house, the

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1 speaker shall appoint a member to preside in committee  
2 and then leave the chair.

3 Rule 64

4 Rules in Committee of the Whole

5 The rules of the house shall be observed in  
6 committee of the whole house, so far as they are  
7 applicable.

8 Rule 65

9 Bills in Committee of the Whole

10 Bills committed to the committee of the whole house  
11 shall first be debated by section. After the report  
12 of the committee of the whole, the bill shall again be  
13 subject to debate and amendment before a vote is had on  
14 its last reading and passage.

15 Rule 66

16 Amendments by Committee of the Whole

17 All amendments made to a report committed to a  
18 committee of the whole house shall be noted and  
19 reported as in the case of bills.

20 DIVISION VII - MOTIONS

21 Rule 67

22 Order and Precedence of Motions

23 The following order of motions, listed in order  
24 of precedence, shall govern when a question is under  
25 debate:

- 26 1. Adjourn.
- 27 2. Recess.
- 28 3. Questions of privilege.
- 29 4. Lay on the table.
- 30 5. Previous question.

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- 1 6. Limit debate.
- 2 7. Postpone definitely or to a certain time.
- 3 8. Refer or rerefer.
- 4 9. Defer.
- 5 10. Amend an amendment.
- 6 11. Amend.
- 7 12. Postpone indefinitely.
- 8 A motion to postpone definitely or to a certain  
9 time, to refer or commit, or to postpone indefinitely a  
10 particular question shall not be considered more than  
11 once on the same day.

12 Adoption of a motion to strike the enacting words is  
13 equivalent to rejection of the question.

14 Rule 68

15 Order of Consideration of Amendments

16 Amendments shall be considered by earliest position  
17 in the bill. Amendments to the same place in the bill  
18 shall be considered by the lowest amendment number. An  
19 amendment which inserts language after a line and an  
20 amendment which inserts language before the succeeding  
21 line shall be considered amendments to the same place  
22 in the bill.

23 However, an amendment to strike the enacting clause  
24 shall always be considered first. An amendment filed  
25 by a committee shall have the next highest order of  
26 priority, followed by an amendment to strike everything  
27 after the enacting clause and insert new language. An  
28 amendment to strike language or to strike and insert  
29 new language, except an amendment to strike everything  
30 after the enacting clause and insert new language,

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1 shall not be considered before amendments to perfect  
2 all or part of the same portion of the bill.

3 Rule 69

4 Motions Not Debatable

5 The following motions are not debatable:

- 6 1. Adjourn.
- 7 2. Adjourn to a certain time.
- 8 3. Suspend house rules.
- 9 4. Previous question.
- 10 5. Close debate at a certain time.
- 11 6. Recess.
- 12 7. Defer.
- 13 8. Refer or rerefer.
- 14 9. Lay on the table.
- 15 10. Take from the table.
- 16 11. Call of the house.
- 17 12. Withdraw a bill or resolution from committee.
- 18 13. Appeal a decision of the chair.
- 19 14. Immediately message a bill or resolution.

20 Rule 69A

21 Constitutional Majority

- 22 1. The following motions require a constitutional  
23 majority for approval:
  - 24 a. Final passage of a bill, joint resolution, or  
25 nullification resolution.
  - 26 b. Lay on the table.
  - 27 c. Take from the table.
  - 28 d. Suspend house rules.
  - 29 e. Previous question.
  - 30 f. Withdraw a bill or resolution from committee.

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1 g. Reconsider a bill, joint resolution, or  
2 nullification resolution.

3 h. Immediately message a bill or resolution.

4 2. A division must be taken on any motion which  
5 requires a constitutional majority.

6 Rule 70

7 Motion to Adjourn

8 A motion to adjourn shall always be in order, except

9 when a member is speaking or the house is voting.

10 Rule 71

11 Withdrawal of Motions

12 After a motion is stated by the speaker or read by  
13 the chief clerk, it shall be deemed to be in possession  
14 of the house, but may be withdrawn by leave of the  
15 house.

16 Rule 72

17 Unanimous Consent

18 Unanimous consent of the members may be asked for  
19 suspension of any rule of the house. If there is no  
20 objection to the request, the rule shall be considered  
21 suspended.

22 Rule 73

23 Reconsideration

24 1. A motion to reconsider may be made only by a  
25 member who voted on the prevailing side of the question  
26 sought to be reconsidered.

27 2. A motion to reconsider may be made not later  
28 than adjournment on the legislative day following  
29 the legislative day of the action sought to be  
30 reconsidered. Where the floor manager voted on

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1 the prevailing side, the floor manager has the  
2 prior right to make the motion, until adjournment  
3 on the legislative day of the action sought to be  
4 reconsidered. A motion to reconsider a nullification  
5 resolution shall be acted upon not later than  
6 adjournment on the legislative day following  
7 the legislative day of the action sought to be  
8 reconsidered.

9 3. A motion to reconsider made beginning the  
10 fifteenth week of the first regular session, or the  
11 thirteenth week of the second regular session, may be  
12 taken up when made. A motion made at any other time  
13 may be taken up prior to the third legislative day  
14 succeeding the legislative day of the action sought  
15 to be reconsidered only if called up by the mover,  
16 and after the second legislative day succeeding the  
17 legislative day of the action sought to be reconsidered  
18 if called up by any member.

19 4. The making of a motion to reconsider takes  
20 precedence over all other questions.

21 5. When passage, adoption, or failure of any bill,  
22 joint resolution, or nullification resolution is  
23 reconsidered, questions on amendments may also be  
24 reconsidered and shall be disposed of immediately.

25 6. In the event that a motion to reconsider  
26 is pending at the end of the first session or any  
27 extraordinary session of any general assembly, or the



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

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1 DIVISION VIII - VOTING

2 Rule 74

3 Manner of Voting

4 Members present may cast their votes, either by  
5 operating the voting mechanism located at their  
6 assigned desk or by signaling the speaker from the  
7 floor of the house or from the south visitors' gallery  
8 if they are unable to vote at their assigned desk.  
9 Only a member may operate the voting mechanism at that  
10 member's assigned desk. The speaker shall announce the  
11 votes of members signaling their votes. Upon direction  
12 of the speaker only those members at their desks and  
13 voting shall be counted. Members who are not present  
14 shall not cast their votes except:  
15 1. Members who have not voted may record their  
16 votes on any record roll call vote except quorum  
17 calls within ten minutes after the outcome of the  
18 vote has been announced. Members shall initial their  
19 recorded votes on a copy of the record roll call at the  
20 speaker's station. However, if the aggregate of votes  
21 cast under this rule would change the outcome of the  
22 vote on a question, then none of the votes cast on the  
23 question under this rule shall be recorded. A member  
24 may request announcement of the names of members so  
25 recorded after the ten-minute period.  
26 2. Members meeting in a conference committee  
27 or in administrative rules review committee at the  
28 time a vote is taken on a question may have their  
29 vote recorded within thirty minutes or adjournment,  
30 whichever is first, of that same legislative day,

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1 provided the aggregate of votes cast does not change  
2 the outcome of the vote on a question.  
3 Rule 75  
4 Voting in the House and Duty of Voting  
5 Voting on a question put to members on the floor of  
6 the house shall not occur between midnight and 8 a.m.  
7 on any legislative day except for voting on a motion to  
8 recess, defer, or adjourn. Except as limited in Rule  
9 76, every member who is in the house when a question is  
10 put shall vote unless the house has excused that member  
11 from voting for special reasons; however, such member  
12 must have asked to be excused from voting prior to the  
13 time the speaker puts the question.

## 14 Rule 76

## 15 Limitation on Right to Vote

16 No member shall vote on any question in which  
17 the member or the member's immediate family member,  
18 as defined in chapter 68B of the Code, has a direct  
19 financial interest different from other similarly  
20 situated persons or classes of persons of the general  
21 public.

## 22 Rule 77

## 23 Call of the House

24 Upon written request of five members, the presiding  
25 officer shall compel attendance of absent and unexcused  
26 members for the consideration of specified bills,  
27 resolutions, or amendments.

28 A call of the house shall specify the propositions  
29 to which it is to apply and must be put into effect  
30 before roll call is taken on the proposition. The

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1 request may be filed with the chief clerk at any time  
2 before final action upon the propositions, who shall  
3 notify the house immediately.

## 4 Rule 78

## 5 Method of Calling the House

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

## 16 Rule 79

## 17 Method of Calling the Roll

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

26 During the casting of the vote with the voting  
27 machine, the individual votes and the vote totals shall  
28 be shown on the display boards. Before the voting  
29 machine is closed, the presiding officer shall inquire  
30 of the house, "Have you all voted?"

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## 1 Rule 80

## 2 Quorum and Record Roll Call Votes

3 A majority of the members shall constitute a quorum.

4 A record roll call vote shall be ordered upon

5 request of any two members. The names of the members

6 requesting the record roll call shall be entered in the

7 journal.

## 8 Rule 81

## 9 Previous Question

10 When a member moves for the previous question, the

11 member shall state whether the motion will apply to the

12 main question, to all the amendments, or to particular

13 amendments. The motion requires an affirmative vote of

14 at least a constitutional majority of the members. If

15 the motion for a previous question is not adopted, the

16 house shall proceed in the same manner as before the

17 motion was made.

18 If the motion is adopted, all debate must end and

19 the house will vote upon the question except:

20 1. If the motion applies to the main question, the

21 member in charge of the measure will have ten minutes

22 to speak for the purpose of closing discussion before

23 the vote on the measure is taken.

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

25 member proposing the amendment will have five minutes

26 to speak for the purpose of closing discussion before

27 the vote on the amendment is taken.

28 3. If a member has filed a written request with

29 the chief clerk of the house indicating the member's

30 desire to speak on a particular question. The request

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1 must be filed before the motion is made by the movant.

2 The request allows a member to speak on a particular

3 question before the closing discussion by the member

4 who is in charge of the measure or who is proposing the

5 amendment.

## 6 Rule 82

## 7 Division of the Question

8 Any member may call for a division of the question,

9 which shall be divided if it comprehends questions so

10 distinct that one being taken away, the remainder may

11 stand separately for discussion by the house. Upon

12 request to divide an amendment, the chief clerk shall

13 restate the division and note the divided amendment in

14 the house journal. An amendment to strike out being

15 lost shall not preclude an amendment to strike out and

16 insert. An amendment to strike out and insert shall be

17 deemed indivisible.

The motion prevailed and the resolution was adopted.

### Regular Calendar

[House File 112](#), a bill for an act relating to the forfeiture of bail in a criminal case, was taken up for consideration.

Hess of Clay 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?" ([H.F. 112](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Bacon
Baltimore	Baudler	Bearinger	Berry
Brandenburg	Byrnes	Cohoon	Costello
Cownie	Dawson	Deyoe	Dolecheck
Drake	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Garrett
Gaskill	Gassman	Grassley	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Hess
Highfill	Hunter	Huseman	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lofgren
Lundby	Lykam	Mascher	Maxwell
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, S.	Olson, T.	Ourth	Pettengill
Prichard	Rayhons	Riding	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Thomas	Upmeyer	Vander Linden	Watts
Wessel-Kroeschell	Winckler	Windschitl	Wolfe
Wood	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 1:

Sheets

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

## IMMEDIATE MESSAGES

Upmeyer of Cerro Gordo asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolutions 4, 5** and **House Files 14, 112** and [Senate File 106](#).

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Sheets of Appanoose

On motion by Upmeyer of Cerro Gordo, the House was recessed at 12:25 p.m., until 5:00 p.m. or the conclusion of the Appropriations committee meeting.

## AFTERNOON SESSION

The House reconvened at 5:41 p.m., Speaker Paulsen in the chair.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 6, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 91](#), a bill for an act increasing civil penalties applicable to specified pipeline safety violations.

Also: That the Senate has on February 6, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 110](#), a bill for an act relating to conformity with federal law concerning unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

Also: That the Senate has on February 6, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 114](#), a bill for an act relating to the filing of a certificate of deposit by the owner of a motor vehicle as proof of financial responsibility.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

[House File 153](#), by Winckler, Wessel-Kroeschell, Lundby, Kajtazovic, Anderson, Thede, Berry, Ruff, Steckman, Thomas, Bearinger, Kearns, Staed, Wolfe, Heddens, Kressig, T. Taylor, R. Olson, Abdul-Samad, Gaines, Hanson, Jacoby, Lensing, Stutsman, Kelley, Forbes, Dunkel, Wood, and Jorgensen, a bill for an act authorizing the college student aid commission to organize a nonprofit corporation to provide Iowans with postsecondary educational financial assistance.

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

[House File 154](#), by Hagenow, a bill for an act relating to increasing certain criminal and administrative penalties for operating-while-intoxicated offenses.

Read first time and referred to committee on **Public Safety**.

[House File 155](#), by committee on Natural Resources, a bill for an act extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

Read first time and referred to committee on **Ways and Means**.

[House File 156](#), by Steckman, Wood, Mascher, Cohoon, Ruff, Hanson, Winckler, Gaines, Abdul-Samad, Anderson, T. Taylor, Ourth, M. Smith, Gaskill, R. Olson, Berry, Kressig, Lykam, Prichard, Kelley, Oldson, Forbes, Muhlbauer, Wolfe, Kajtazovic, Isenhardt, Hall, and Dunkel, a bill for an act relating to state funding for intensive instructional services and supports and to the retention in grade three of students who are deficient in reading and who fail to enroll in an intensive summer reading program.

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

[House File 157](#), by Steckman, Murphy, Wood, Staed, Kelley, Hall, Ruff, Dawson, Gaskill, Mascher, Hanson, Winckler, Gaines, Abdul-Samad, Cohoon, Running-Marquardt, Anderson, T. Taylor, Lensing, Wessel-Kroeschell, Lundby, Hunter, Kearns, Thomas, and Dunkel, a bill for an act relating to the Iowa early intervention block

grant program by extending the repeal date of the chapter establishing the program and including effective date provisions.

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

[House File 158](#), by committee on Judiciary, a bill for an act providing for an exception to municipal tort liability for claims arising from sledding on municipality-controlled property.

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

[House File 159](#), by committee on Public Safety, a bill for an act relating to the possession of certain products with the intent to use the products to manufacture a controlled substance, and making penalties applicable.

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

[House File 160](#), by committee on Appropriations, a bill for an act relating to mental health and disability services by making transfers and appropriations for the fiscal year beginning July 1, 2012, and including related changes and effective date provisions.

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

#### [HOUSE FILE 99](#) REREFERRED

The Speaker announced that [House File 99](#), previously referred to committee on **Human Resources** was rereferred to committee on **Commerce**.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### [H.S.B. 104](#) Judiciary

Concerning prescription drug or controlled substance medication defenses in operating-while-intoxicated cases.

**H.S.B. 105 Judiciary**

Relating to the sentencing of a minor who commits murder in the first degree, providing penalties, and including effective date provisions.

**H.S.B. 106 State Government**

Authorizing charitable auctions for alcoholic spirits.

**H.S.B. 107 Local Government**

Concerning the review, approval, and establishment of county supervisor districting plans.

**H.S.B. 108 Education**

Relating to school district funding by providing for school district property tax replacement payments, making appropriations, modifying terminology, and including effective date and applicability provisions.

**H.S.B. 109 Human Resources**

Relating to mental health and disability services requirements involving the department of human services and including effective date and retroactive applicability provisions.

**SUBCOMMITTEE ASSIGNMENTS****House File 137**

Human Resources: Forristall, Chair; Heaton and Stutsman.

**House File 147**

State Government: Watts, Chair; Grassley and Prichard.



## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 30 Reassigned  
(Committee of the Whole)**

Veterans Affairs: Worthan, Chair; Alons, Bacon, Brandenburg, Costello, Gaines, Jacoby, Kajtazovic, Kearns, L. Miller, Muhlbauer, Salmon, Shaw, Staed, Stanerson, Thomas and Windschitl.

**House Study Bill 90**

Public Safety: Fry, Chair; Klein and Kressig.

**House Study Bill 91**

Public Safety: Worthan, Chair; Brandenburg and R. Olson.

**House Study Bill 101**

Ways and Means: Vander Linden, Chair; Stanerson and Thomas.

**House Study Bill 104**

Judiciary: Garrett, Chair; Gassman and R. Olson.

**House Study Bill 105**

Judiciary: Garrett, Chair; Heartsill and Wolfe.

## 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:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly [House Study Bill 103](#)), relating to mental health and disability services by making transfers and appropriations for the fiscal year beginning July 1, 2012, and including related changes and effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2013.

## COMMITTEE ON COMMERCE

**Committee Bill** (Formerly [House Study Bill 50](#)), increasing civil penalties applicable to specified pipeline safety violations.

Fiscal Note: **No**

Recommendation: **Do Pass** February 6, 2013.

## COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly [House File 68](#)), extending a provision relating to the use of certain increases in watercraft registration fees by the natural resource commission.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2013.

## COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly [House Study Bill 49](#)), establishing a child endangerment offense for the mother of a newborn child who caused an illegal drug to be present in the newborn child's body, and providing a penalty.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2013.

**Committee Bill** (Formerly [House Study Bill 52](#)), relating to the controlled substance of marijuana, providing a penalty, and including an effective date provision.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2013.

**Committee Bill** (Formerly [House Study Bill 54](#)), relating to the possession of certain products with the intent to use the products to manufacture a controlled substance, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 5, 2013.

On motion by Hagenow of Polk, the House adjourned at 5:43 p.m., until 8:30 a.m., Thursday, February 7, 2013.