

PROOF

STATE OF IOWA

House Journal

TUESDAY, FEBRUARY 3, 2015

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

JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 3, 2015

The House met pursuant to adjournment at 8:30 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Jerry Morningstar, Sully Community Church, Sully. He was the guest of Representative Heartsill of Marion.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Regina Felderman, Page from Ankeny.

The Journal of Monday, February 2, 2015, was approved.

INTRODUCTION OF BILLS

[House File 140](#), by Fisher, Salmon, Klein, Watts, Sheets, Nunn, Holt, Branhagen, and R. Taylor, a bill for an act relating to student discipline and student conduct policies adopted by school districts.

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

[House File 141](#), by Wills, Klein, Baudler, Watts, Jones, Branhagen, Holt, Heartsill, Fisher, Salmon, Nunn, and Kooiker, a bill for an act mandating drug testing of applicants for and certain recipients of assistance under the family investment program.

Read first time and referred to committee on **Human Resources**.

[House File 142](#), by Fry, a bill for an act relating to a reduction in the application fee for a license to marry based upon the completion of premarital counseling.

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

[House File 143](#), by Worthan, a bill for an act increasing the amount of the fees retained by a county treasurer for the issuance or renewal of driver's licenses.

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

[House File 144](#), by Jorgensen, a bill for an act relating to state and local funding for transportation by increasing the rate of the excise taxes on motor fuel and certain special fuel, providing for the deposit in the road use tax fund of certain wagering tax receipts and revenues from city automated traffic enforcement systems, and requiring the department of transportation to implement efficiency measures and to prioritize certain primary highway projects.

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

[House File 145](#), by Heartsill, a bill for an act providing for an annual transfer of revenue to the road use tax fund.

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

[House File 146](#), by committee on State Government, a bill for an act concerning gambling game prohibited activities and making penalties applicable.

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

ADOPTION OF [HOUSE RESOLUTION 4](#)

Upmeyer of Cerro Gordo called up for consideration [House Resolution 4](#), as follows:

[HOUSE RESOLUTION 4](#)

BY COMMITTEE ON ADMINISTRATION AND RULES

- 1 A resolution relating to permanent rules of the House
- 2 of Representatives for the Eighty-sixth General
- 3 Assembly.
- 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
- 5 the permanent rules of the House for the ~~Eighty-fifth~~
- 6 ~~Eighty-sixth~~ General Assembly be as follows:
- 7 DIVISION I - GENERAL RULES
- 8 Rule 1
- 9 Call to Order and Order of Business
- 10 The speaker shall take the chair at the hour to

11 which the house has adjourned, and shall immediately
12 call the house to order, correct the journal of the
13 previous day's proceedings, and proceed to other
14 business, including, but not limited to, introduction
15 of bills, reports, messages, communications, business
16 pending at adjournment, announcements, resolutions
17 and bills on their passage, and points of personal
18 privilege.

19 Rule 2

20 Quorum Call and Time of Convening

21 The house shall convene each Monday at 1:00 p.m.
22 and at 8:30 a.m. on all other legislative days, unless
23 otherwise ordered. The time of convening shall be
24 recorded in the journal. The house shall not convene
25 on Sunday during a regular or special session.

26 The speaker or a member may request a roll call to
27 determine if a quorum is present.

Page 2

1 Rule 3

2 Absences from the House

3 No member shall be absent without leave while the
4 house is in session unless excused for good cause.

5 Rule 4

6 Preservation of Order

7 The speaker shall preserve order and decorum and
8 speak to points of order. Subject to an appeal to the
9 house by any member, the speaker shall decide questions
10 of order which shall not be debated.

11 The speaker may have the chamber of the house
12 cleared in case of any disturbance or disorderly
13 conduct.

14 Only past legislators, state officials, persons
15 whose presence is deemed by the speaker to be of
16 special significance to the house, and school classes
17 accompanied by teachers and seated in the galleries
18 shall be introduced in the house.

19 No person other than a member of the house shall be
20 allowed to speak from the floor of the house without
21 prior permission of the speaker.

22 The public may take photographs from the galleries
23 at any time. However, the use of flash bulbs or any
24 other artificial lighting is prohibited.

25 Members of the press may photograph from the press
26 box, but shall not use artificial lighting without
27 prior permission from the chief clerk of the house.

28 Photographs shall not be taken on the house floor when
29 the members are voting on a question put before the
30 house. Photographs or video recordings of the voting

Page 3

1 boards shall not be taken while a nonrecord roll call
2 vote is displayed. Photographs may be taken on the
3 house floor at other times with the consent of the
4 subject or subjects of the photography.

5 Rule 4A

6 Use of Electronic Devices and Video Streaming in
7 Chamber

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

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

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

24 Rule 5

25 Rules of Parliamentary Practice

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

Page 4

1 Rule 5A

2 House Budget

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

11 Rule 6

12 The Speaker Pro Tempore

13 The house shall, at its pleasure, elect a speaker
14 pro tempore. When the speaker shall for any cause be
15 absent, the speaker pro tempore shall preside, except
16 when the chair is filled by appointment by either
17 the speaker or the speaker pro tempore. If a vacancy

18 occurs in the office of speaker, the speaker pro
19 tempore shall assume the duties and responsibilities
20 of the speaker until such time as the house shall elect
21 a new speaker. The speaker or the speaker pro tempore
22 shall have the right to name any member to perform the
23 duties of speaker, but such substitution shall not
24 extend beyond the adjournment. The acts of the speaker
25 pro tempore shall have the same validity as those of
26 the speaker. In the absence of both the speaker and
27 the speaker pro tempore, the house shall name a speaker
28 who shall preside over it and perform all the duties of
29 the speaker with the exception of signing bills, until
30 such time as the speaker or speaker pro tempore shall

Page 5

1 be present, and the person's acts shall have the same
2 force and validity as those of the regularly elected
3 speaker.
4 Rule 7
5 Amendment of Rules
6 A motion to change or rescind a standing rule or
7 order of the house requires one day's notice.
8 Rule 8
9 Violation of House Rules
10 The speaker shall, or any member may, call to order
11 a member who violates the rules of the house. With
12 leave of the house, the member called to order may be
13 permitted to explain. If the case requires it, the
14 member shall be subject to censure of the house.
15 Rule 9
16 Referral of Rule Violations
17 The speaker shall, upon complaint of a member,
18 or upon the speaker's own motion, refer any alleged
19 violation of house or joint rules by house members,
20 employees or staff to the house ethics committee upon
21 an initial finding that an investigation is warranted.
22 The ethics committee shall investigate such
23 allegations and report them back to the house with a
24 recommendation.
25 Rule 10
26 Recognition and Decorum in Debate
27 A member who wishes to speak in debate shall be
28 appropriately attired, with male members wearing coat
29 or tie. After recognition by the chair, a member
30 shall respectfully address the presiding officer

Page 6

1 by saying "Mr. or Madam Speaker". A member shall
2 confine all remarks to the question under debate,
3 shall be respectful of other members, and shall avoid

4 referencing or questioning the motives of another
5 member.
6 Rule 11
7 Limit on Debate
8 No member shall speak more than once on the same
9 question without leave of the speaker, nor more than
10 twice until every member choosing to speak has spoken,
11 except as provided in Rule 81. A member shall be
12 limited to ten minutes debate on bills, resolutions,
13 and amendments, but may be granted an extension of time
14 by consent of the house. However, the floor manager
15 of a bill or resolution and the lead sponsor of an
16 amendment may exceed the ten-minute limit on opening
17 and closing remarks.
18 Rule 12
19 Decorum During Debate
20 No member shall leave the house while the speaker
21 is putting a question. No one shall pass between the
22 speaker and a member who is speaking or two members who
23 have been recognized by the speaker.
24 Rule 13
25 Stating the Question
26 When a motion is made, it shall be stated by the
27 speaker. A motion made in writing shall be passed to
28 the speaker's station before it is debated.
29 Rule 14
30 Putting the Question

Page 7

1 Questions shall be distinctly put in this form:
2 "All those in favor of (the question) shall say 'aye';"
3 and after the affirmative voice is expressed, "All
4 those opposed to (the question) shall say 'no'."
5 If the speaker is in doubt or a member of the house
6 requests, a nonrecord roll call vote shall be taken.
7 DIVISION II - EMPLOYEES OF THE HOUSE
8 Rule 15
9 Chief Clerk of the House
10 The chief clerk of the house shall serve as
11 parliamentarian and chief administrative officer of the
12 house under the direction of the speaker of the house.
13 The chief clerk shall supervise the chief clerk's
14 office; be responsible for the custody and safekeeping
15 of all bills, resolutions, and amendments filed,
16 except when they are in the custody of a committee;
17 have charge of the daily journal; have control of all
18 rooms assigned for the use of the house; attest to the
19 accuracy and correctness of text and action on bills
20 and resolutions; process the handling of amendments
21 when filed and during the floor consideration of bills;
22 insert adopted amendments into bills before transmittal

23 to the senate and prior to final enrollment; supervise
24 legislative printing and the distribution of printed
25 material; and perform all other duties pertaining to
26 the office of the chief clerk.

27 Rule 16

28 Legislative and Session Days

29 For purposes of these rules, a legislative day is a
30 day when the house is called to order. A legislative

Page 8

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

5 Rule 17

6 Sergeant-At-Arms

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

16 Rule 18

17 Secretaries

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

27 Rule 19

28 Extra Compensation of Employees

29 No employee shall receive any extra compensation,
30 except as provided by the house, or tips for services

Page 9

1 performed while on duty. Any violation of this rule
2 shall be grounds for removal.

3 DIVISION III - VISITORS AND LOBBYISTS

4 Rule 20

5 Admission to the House; Lobbying

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

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

14 During a legislative day while the house is in
15 order, no member of the general assembly or legislative
16 employee or intern shall be admitted to the floor of
17 the house if attired in jeans of any color without
18 leave of the speaker.

19 During a legislative day while the house is in
20 order, and one-half hour before the house convenes and
21 one-half hour after the house recesses or adjourns,
22 no person shall be admitted to the floor of the house
23 except:

24 1. Members of the general assembly and authorized
25 legislative employees in the performance of their
26 duties.

27 2. Former members of the general assembly who are
28 not registered lobbyists.

29 3. A general assembly member's family.

30 4. Representatives of the press, radio, and

Page 10

1 television who shall go directly to and from the press
2 box.

3 5. Legislative interns registered with the chief
4 clerk who shall go directly to and from the seat of
5 their assigned representative or to be seated in the
6 perimeter seating area.

7 6. Designated representatives of a political party
8 having members serving in the house.

9 7. Members of the state executive council, the
10 lieutenant governor, the attorney general, the
11 governor's executive assistants and administrative
12 assistants, and the administrative rules coordinator,
13 all of whom shall be confined to the perimeter area.

14 The current status of former members of the general
15 assembly shall govern their access to the floor under
16 these rules.

17 No other persons shall be allowed on the house floor
18 while the house is in order without permission of the
19 presiding officer of the house. When the house is not
20 in order, guests of a member of the general assembly
21 escorted by that member shall be allowed on the house
22 floor.

23 No person admitted to the floor of the house while
24 the house is in order, except members of the general
25 assembly, shall lobby or attempt to exercise any
26 influence with any member for or against any matter
27 then pending or that may thereafter be considered by

28 the house.

29 A registered lobbyist shall not be admitted to
30 the floor of the house on any legislative day except

Page 11

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

Page 12

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

14 Rule 20A

15 Legislative Interns

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

20 Rule 21

21 Distribution of Literature and Other Items

22 No person except a member or employee of the house
23 of representatives shall distribute or cause to be
24 distributed any pamphlets, material, or other printed
25 literature, or any other items to the members' desks
26 in the house without authorization. An employee
27 of the house shall generally distribute or cause
28 to be distributed such literature or items only on
29 behalf of the employee's office or staff. Items which
30 are permissible gifts under chapter 68B of the Code

Page 13

1 may be distributed to the members' desks with the
2 authorization of the chief clerk.

3 All copies of pamphlets, material, or printed
4 literature distributed by a member or employee of the
5 house of representatives shall bear the name of the
6 member or employee's office or staff.

7 Other distributions of pamphlets, material, or
8 other printed literature shall bear their source of
9 origin and be distributed through the legislative
10 post office or to the members' desks by completing
11 a form containing a member's or the chief clerk's
12 authorization, with the authorization form filed with
13 the chief clerk. The authorization form shall be
14 retained for a reasonable time period by the chief
15 clerk.

16 Rule 22

17 Distribution of Materials Printed by the State

18 A member of the house shall not distribute maps,
19 books, and pamphlets which have been printed by the
20 state of Iowa and upon which the name of the member
21 of the house has been affixed unless the member has
22 purchased the materials or unless the member has
23 affixed the words "Paid for by the citizens of Iowa and
24 distributed by representative (member's name)."

25 DIVISION IV - FORMS AND PROCEDURES FOR BILLS AND OTHER
26 DOCUMENTS

27 Rule 23

28 Documents Signed by the Speaker

29 All acts and joint resolutions shall be signed by
30 the speaker, and all writs, warrants, and subpoenas

Page 14

1 issued by order of the house, shall be signed by the
2 speaker and attested by the chief clerk. The speaker
3 shall cause certificates of recognition or condolence
4 to be issued by the house which shall be signed by
5 the speaker and the chief clerk. The chief clerk
6 shall maintain a list of certificates issued including
7 the name of the requesting member of the house, the
8 name of the recipient, the reason for recognition or
9 condolence, and the date of issuance.

10 Rule 24

11 Presentation of Petitions

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

17 Rule 25

18 Consideration of Simple and Concurrent Resolutions

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

26 Rule 26

27 Unanimous Consent Calendar

28 The speaker may, upon the request of three members,
29 place on a unanimous consent calendar any house
30 resolution or concurrent resolution which does not

Page 15

1 contain an appropriation and which has been laid over
2 under Rule 25.

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

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

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

16 Rule 26A

17 Senate Bills and Resolutions

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

20 Rule 27

21 Forms of Bills and Joint Resolutions

22 Every house bill shall be introduced by one or more
23 members or by any standing or specially authorized
24 committee of the house or the administrative rules
25 review committee. All bills and joint resolutions
26 introduced shall be prepared by the legislative
27 services agency with title, enacting clause, text
28 and explanation as directed by the chief clerk of the
29 house. One copy of each bill shall be presented in a
30 bill cover with the number of copies of the bill and

Page 16

1 the title as directed by the chief clerk.

2 Rule 28

3 Joint and Nullification Resolutions

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

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

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

19 Rule 29

20 Time of Introduction of Bills

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

28 After adjournment of the first regular session,
29 bills may be prefiled at any time before the convening
30 of the second regular session. No bill or joint

Page 17

1 resolution under individual sponsorship, other than a
2 nullification resolution, shall be read for the first
3 time after 4:30 p.m. on Friday of the second week of

4 the second regular session of the general assembly
5 unless a formal request for drafting the bill has been
6 filed with the legislative services agency before that
7 time.

8 However, bills or joint resolutions sponsored
9 by standing committees or the administrative rules
10 review committee, co-sponsored by the majority and
11 minority floor leaders, or companion bills sponsored
12 by the house majority leader and the senate majority
13 leader may be drafted and introduced at any time
14 permissible under Joint Rule 20. House, concurrent,
15 and nullification resolutions may be introduced at any
16 time.

17 Rule 30

18 Introduction and Reading of Bills

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

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

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

29 Rule 31

30 First Reading, Commitment, and Amendment

Page 18

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

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

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

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

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

21 6. Such amendments shall give the number of
22 the bill sought to amend and the chief clerk shall

23 designate each such amendment thus: Amendment to
24 House File _____, or Senate File _____, by
25 _____.
26 7. A bill reported out by committee shall go to the
27 speaker who shall direct that the bill be placed on the
28 regular calendar unless it covers subject matter more
29 properly within the jurisdiction of some other standing
30 committee, in which case the speaker shall refer the

Page 19

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

Page 20

1 of the house prior to consideration if a copy of the
2 amendment is made available to the entire membership of
3 the house electronically.
4 Rule 32
5 Commitment of Appropriation and Revenue Bills
6 All bills to appropriate money shall be referred to
7 the appropriations committee, and all bills pertaining
8 to the levy, assessment, or collection of taxes or fees

9 shall be referred to the committee on ways and means.
10 Rule 33
11 Regular Calendar
12 Bills, nullification resolutions, and joint
13 resolutions reported out for passage, amendment and
14 passage, or without recommendation by a committee,
15 or passed on file shall be arranged on a regular
16 calendar by the chief clerk each day and electronically
17 distributed to the members at the opening of each
18 legislative day. The regular calendar shall include
19 a list of bills, nullification resolutions, and joint
20 resolutions which have been special ordered, including
21 the date upon which debate is scheduled to begin
22 on each of them, which shall be no sooner than five
23 session days from the first date of publication on the
24 regular calendar.
25 Rule 34
26 Daily Debate Calendar
27 The majority floor leadership shall cause to
28 be prepared and distributed to the members at the
29 opening of each legislative day when floor action is
30 scheduled, a daily debate calendar consisting of bills,

Page 21

1 nullification resolutions, and joint resolutions from
2 the regular calendar setting forth the number and
3 title of bills, nullification resolutions, and joint
4 resolutions for the next legislative day that floor
5 action is scheduled.
6 This rule does not apply to bills which have passed
7 both houses in different forms, reconsiderations, or
8 veto reconsiderations.
9 Rule 35
10 Substitution of Bills
11 A senate bill or resolution may be substituted
12 for an identical house bill or resolution which has
13 been called up for debate. An amendment to a senate
14 bill or resolution which has been substituted for an
15 identical house bill or resolution is out of order if
16 an identical amendment to the house bill or resolution
17 was considered.
18 Rule 36
19 Consideration of Committee Amendments
20 After a bill has been referred and reported back,
21 it shall be considered on its first reading after the
22 amendments of the committee have been read.
23 Rule 37
24 Amendments to Special Order Bills
25 All amendments to bills which have been special
26 ordered shall be filed at least three session days
27 prior to the date set for debate. Amendments to an

28 amendment shall be filed at least two session days
29 prior to the date set for debate. However, corrective
30 amendments and amendments sponsored by either the

Page 22

1 majority floor leader or the minority floor leader may
2 be filed at any time. Rule 31, subsection 8, shall not
3 apply to these amendments.
4 A corrective amendment is an amendment which does
5 not substantively change the amendment or the bill.
6 Rule 38
7 Germane Amendments
8 An amendment must be germane to the subject matter
9 of the bill it seeks to amend. An amendment to an
10 amendment must be germane to both the amendment and the
11 bill it seeks to amend. When a member objects to an
12 amendment on grounds that the amendment is not germane,
13 the speaker may invite members, who shall include the
14 majority and minority leaders, to the speaker's station
15 to discuss the objection.
16 Rule 39
17 Consideration of Bills
18 Bills, including committee bills, joint resolutions,
19 and nullification resolutions, reported out for
20 passage, for amendment and passage, or without
21 recommendation by the committee, are first eligible to
22 be acted upon beginning the third legislative day they
23 appear on the regular calendar.
24 Committee reports shall be printed in the journal
25 immediately after they are filed with the chief clerk.
26 Reports recommending bills, joint resolutions, and
27 nullification resolutions for passage, for amendment
28 and passage, or without recommendation shall stand
29 approved unless written objections are filed during
30 the first legislative day following their printing in

Page 23

1 the journal. If objections are filed, they shall be
2 disposed of as soon as possible.
3 Rule 40
4 Consideration of Bills Upon Last Reading
5 No amendment, unless by way of correcting an error
6 or omission, shall be received to any bill on its last
7 reading, and no debate shall be allowed on it.
8 Rule 41
9 Printing of Bills and Joint Resolutions
10 Bills and joint resolutions shall be printed in form
11 as provided by law and by rule. Each house may direct
12 the printing of an additional number of its own bills.
13 Legalizing bills of a local or private nature shall

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

22 Rule 42

23 Certification and Engrossment of Bills

24 The chief clerk shall certify the passage of each
25 bill and note the date of its passage.

26 In engrossing a bill, the chief clerk shall
27 correct all obvious typographical, spelling, or other
28 clerical errors and change section subunit numbers
29 and letters and internal references as required to
30 conform the original bill to any amendments which have

Page 24

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

5 Rule 43

6 Rereferral

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

10 Rule 44

11 Effect of Indefinite Postponement

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

14 Rule 45

15 Status of Bills Following First Regular Session

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

25 DIVISION V - COMMITTEE PROCEDURES

26 Rule 46

27 Appointment of Committees

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

30 Minority party members of a committee shall be

Page 25

1 appointed by the speaker upon recommendation of the
2 minority leader.

3 Rule 47

4 Reserved

5 Rule 48

6 Study Bills

7 A study bill is any matter which a member of
8 the house wishes to have considered by a standing
9 committee, other than appropriations, without being
10 introduced in the house by a first reading. A

11 study bill shall be prepared in proper form by the
12 legislative services agency prior to submission.

13 Upon taking possession of a study bill, the
14 committee chair shall notify the speaker and then
15 submit four copies of the bill to the legal counsel's
16 office for numbering.

17 A study bill shall bear the name of the member who
18 wishes to have the bill considered. A study bill
19 submitted by a state agency or board for consideration
20 shall bear the name of the state agency or board. A
21 committee chair may submit a study bill in the name of
22 that committee.

23 Final committee action on a study bill shall not be
24 taken until one day following the notation of the study
25 bill assignment in the house journal.

26 Rule 49

27 Committee Meetings

28 No committee, except a conference committee or the
29 administrative rules review committee, shall meet
30 while the house is in session without special leave.

Page 26

1 Committees with overlapping memberships shall not meet
2 at the same time without special leave.

3 Rule 50

4 Smoking Prohibited

5 Smoking shall not be permitted in the house or in
6 any area of the capitol building.

7 Rule 51

8 Assignments to Subcommittee

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

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

16 The chair may assign bills to subcommittees without
17 a meeting of the committee, but the membership of the

18 subcommittee so appointed shall be reported at the next
19 meeting of the committee.
20 Rule 52
21 Open Meetings
22 Standing committee meetings shall be open, and
23 voting by secret ballot is prohibited. The committee
24 on administration and rules may close its meetings to
25 evaluate the professional competency of an individual.
26 Rule 53
27 Quorum and Vote Requirements
28 The committee roll shall be taken at the convening
29 of each meeting to determine the presence of a quorum.
30 A majority of the committee membership shall constitute

Page 27

1 a quorum.
2 An affirmative vote of a majority of the committee
3 membership is required to report a bill out of
4 committee or to suspend a committee rule.
5 A motion to reconsider may be made only by a
6 committee member who voted on the prevailing side of
7 the question sought to be reconsidered. A motion to
8 reconsider may only be made prior to the adjournment of
9 the committee meeting at which the bill was reported
10 out.
11 If a member, who is in the committee room when a
12 question to report a bill out of committee is put, has
13 not asked to be excused prior to commencing to take
14 the vote on the question, the member shall vote aye
15 or nay unless the committee has excused the member for
16 special reasons. However, a member may pass on the
17 first taking of the roll call on the question but shall
18 vote aye or nay when the member's name is called for a
19 second time.
20 Rule 54
21 Committee Attendance Record and Report of Committee
22 Form
23 1. A committee attendance record shall be filed
24 with the chief clerk no later than 10:00 a.m. or two
25 hours after the house convenes, whichever is later,
26 of the legislative day immediately following the day
27 of the committee meeting. The committee attendance
28 record is a public record and may be published in the
29 journal. The committee attendance record shall include
30 the following information:

Page 28

- 1 a. The time the meeting convened.
- 2 b. The members present at the meeting.
- 3 c. The time the meeting adjourned.

4 d. A list of bills receiving final committee
5 disposition.
6 2. A report of committee form shall be filed with
7 the chief clerk no later than 10:00 a.m. or two hours
8 after the house convenes, whichever is later, of the
9 legislative day immediately following the day of the
10 committee meeting for each study bill, numbered bill
11 or resolution receiving final committee disposition.
12 The report of committee form is a public record and
13 a report of committee action shall be printed in the
14 journal. The report of committee form shall include
15 the following information:
16 a. The committee action taken.
17 b. The committee amendment number, if any.
18 c. The roll call vote of the committee on final
19 disposition.
20 d. The minority recommendation, if any.
21 3. Upon final adjournment of the first session
22 and final adjournment of the second session of the
23 general assembly, the chair of each committee shall
24 have placed the committee's book of record containing
25 minutes, record roll calls on final disposition, record
26 roll call votes on any amendments considered, rules,
27 etc., with the chief clerk for access of any interested
28 person.
29 Rule 55
30 Minority Recommendation

Page 29

1 The minority of the members of a committee may
2 present its recommendations on the final disposition
3 of a bill to the house by attaching its recommendation
4 to the committee report. The minority recommendation
5 shall be noted in the journal along with the committee
6 report.
7 Rule 56
8 Committee Amendment
9 Whenever a committee amendment is proposed which
10 would amend another committee amendment, the amendment
11 shall be drafted in the form of a substitute amendment
12 and shall be considered as such.
13 Rule 57
14 Committee Notice and Agenda
15 Each committee shall prepare and publish a notice
16 and agenda of each committee meeting at least one
17 legislative day prior to the meeting. The notice and
18 agenda may be placed on the desks of or transmitted
19 electronically to committee members.
20 The notice shall contain the committee name, the
21 date, time, and location of the meeting.
22 The agenda shall contain the matters to be

23 discussed, including a list of bills, joint
24 resolutions, nullification resolutions, and study
25 bills by number. The agenda should contain the names
26 of individuals who are scheduled to appear before the
27 committee and the organization which they represent.
28 A bill, joint resolution, nullification resolution,
29 or study bill shall not be reported out of committee if
30 the bill was not included in the published notice and

Page 30

1 agenda unless this rule is suspended by a majority of
2 the total membership of the committee.
3 A committee chair may call a meeting without
4 providing the required notice and agenda upon leave
5 of the house if a notice is either electronically
6 transmitted to committee members or placed on the desks
7 of committee members.
8 Rule 58
9 Clearing of Committee Room
10 The chair of a committee may clear the committee
11 room in case of any disturbance or disorderly conduct.
12 Rule 58A
13 Use of Telephonic or Electronic Devices in Committee
14 Rooms Restricted
15 1. In any committee room while a standing committee
16 is in session:
17 a. A person shall mute any cell phone, computer, or
18 other electronic device under the person's control.
19 b. A person shall not use a cell phone or other
20 electronic device to audibly transmit or receive
21 communications.
22 2. The chair or acting chair of a standing
23 committee may clear the committee room of any person
24 acting in violation of this rule.
25 Rule 59
26 Committee Amendments
27 All amendments to a bill or resolution adopted in
28 committee shall be incorporated in a single committee
29 amendment or incorporated in a new committee bill.
30 Rule 60

Page 31

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

9 Rule 61

10 Committee Public Hearings

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

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

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

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

29 A bill, joint resolution, or nullification
30 resolution for which a public hearing has been called

Page 32

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

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

14 Rule 62

15 Limitation on Filing of Claims

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

26 DIVISION VI - COMMITTEE OF THE WHOLE

27 Rule 63

28 Organization of Committee of the Whole
29 In forming the committee of the whole house, the
30 speaker shall appoint a member to preside in committee

Page 33

1 and then leave the chair.
2 Rule 64
3 Rules in Committee of the Whole
4 The rules of the house shall be observed in
5 committee of the whole house, so far as they are
6 applicable.
7 Rule 65
8 Bills in Committee of the Whole
9 Bills committed to the committee of the whole house
10 shall first be debated by section. After the report
11 of the committee of the whole, the bill shall again be
12 subject to debate and amendment before a vote is had on
13 its last reading and passage.
14 Rule 66
15 Amendments by Committee of the Whole
16 All amendments made to a report committed to a
17 committee of the whole house shall be noted and
18 reported as in the case of bills.
19 DIVISION VII - MOTIONS
20 Rule 67
21 Order and Precedence of Motions
22 The following order of motions, listed in order
23 of precedence, shall govern when a question is under
24 debate:
25 1. Adjourn.
26 2. Recess.
27 3. Questions of privilege.
28 4. Lay on the table.
29 5. Previous question.
30 6. Limit debate.

Page 34

1 7. Postpone definitely or to a certain time.
2 8. Refer or rerefer.
3 9. Defer.
4 10. Amend an amendment.
5 11. Amend.
6 12. Postpone indefinitely.
7 A motion to postpone definitely or to a certain
8 time, to refer or commit, or to postpone indefinitely a
9 particular question shall not be considered more than
10 once on the same day.
11 Adoption of a motion to strike the enacting words is
12 equivalent to rejection of the question.
13 Rule 68

14 Order of Consideration of Amendments

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

22 However, an amendment to strike the enacting clause
23 shall always be considered first. An amendment filed
24 by a committee shall have the next highest order of
25 priority, followed by an amendment to strike everything
26 after the enacting clause and insert new language. An
27 amendment to strike language or to strike and insert
28 new language, except an amendment to strike everything
29 after the enacting clause and insert new language,
30 shall not be considered before amendments to perfect

Page 35

1 all or part of the same portion of the bill.

2 Rule 69

3 Motions Not Debatable

4 The following motions are not debatable:

5 1. Adjourn.

6 2. Adjourn to a certain time.

7 3. Suspend house rules.

8 4. Previous question.

9 5. Close debate at a certain time.

10 6. Recess.

11 7. Defer.

12 8. Refer or rerefer.

13 9. Lay on the table.

14 10. Take from the table.

15 11. Call of the house.

16 12. Withdraw a bill or resolution from committee.

17 13. Appeal a decision of the chair.

18 14. Immediately message a bill or resolution.

19 Rule 69A

20 Constitutional Majority

21 1. The following motions require a constitutional
22 majority for approval:

23 a. Final passage of a bill, joint resolution, or

24 nullification resolution.

25 b. Lay on the table.

26 c. Take from the table.

27 d. Suspend house rules.

28 e. Previous question.

29 f. Withdraw a bill or resolution from committee.

30 g. Reconsider a bill, joint resolution, or

Page 36

1 nullification resolution.

2 h. Immediately message a bill or resolution.

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

5 Rule 70

6 Motion to Adjourn

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

9 Rule 71

10 Withdrawal of Motions

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

15 Rule 72

16 Unanimous Consent

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

21 Rule 73

22 Reconsideration

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

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

Page 37

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

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

18 4. The making of a motion to reconsider takes
19 precedence over all other questions.
20 5. When passage, adoption, or failure of any bill,
21 joint resolution, or nullification resolution is
22 reconsidered, questions on amendments may also be
23 reconsidered and shall be disposed of immediately.
24 6. In the event that a motion to reconsider
25 is pending at the end of the first session or any
26 extraordinary session of any general assembly, or the
27 general assembly adjourns sine die, and the motion to
28 reconsider has not been voted upon by the house, the
29 motion shall be determined to have failed.
30 DIVISION VIII - VOTING

Page 38

1 Rule 74
2 Manner of Voting
3 Members present may cast their votes, either by
4 operating the voting mechanism located at their
5 assigned desk or by signaling the speaker from the
6 floor of the house or from the south visitors' gallery
7 if they are unable to vote at their assigned desk.
8 Only a member may operate the voting mechanism at that
9 member's assigned desk. The speaker shall announce the
10 votes of members signaling their votes. Upon direction
11 of the speaker only those members at their desks and
12 voting shall be counted. Members who are not present
13 shall not cast their votes except:
14 1. Members who have not voted may record their
15 votes on any record roll call vote except quorum
16 calls within ten minutes after the outcome of the
17 vote has been announced. Members shall initial their
18 recorded votes on a copy of the record roll call at the
19 speaker's station. However, if the aggregate of votes
20 cast under this rule would change the outcome of the
21 vote on a question, then none of the votes cast on the
22 question under this rule shall be recorded. A member
23 may request announcement of the names of members so
24 recorded after the ten-minute period.
25 2. Members meeting in a conference committee
26 or in administrative rules review committee at the
27 time a vote is taken on a question may have their
28 vote recorded within thirty minutes or adjournment,
29 whichever is first, of that same legislative day,
30 provided the aggregate of votes cast does not change

Page 39

1 the outcome of the vote on a question.
2 Rule 75
3 Voting in the House and Duty of Voting

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

13 Rule 76

14 Limitation on Right to Vote

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

21 Rule 77

22 Call of the House

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

27 A call of the house shall specify the propositions
28 to which it is to apply and must be put into effect
29 before roll call is taken on the proposition. The
30 request may be filed with the chief clerk at any time

Page 40

1 before final action upon the propositions, who shall
2 notify the house immediately.

3 Rule 78

4 Method of Calling the House

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

15 Rule 79

16 Method of Calling the Roll

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

23 alphabetical order, except the name of the presiding
24 officer shall be called last.
25 During the casting of the vote with the voting
26 machine, the individual votes and the vote totals shall
27 be shown on the display boards. Before the voting
28 machine is closed, the presiding officer shall inquire
29 of the house, "Have you all voted?"
30 Rule 80

Page 41

1 Quorum and Record Roll Call Votes
2 A majority of the members shall constitute a quorum.
3 A record roll call vote shall be ordered upon
4 request of any two members. The names of the members
5 requesting the record roll call shall be entered in the
6 journal.
7 Rule 81
8 Previous Question
9 When a member moves for the previous question, the
10 member shall state whether the motion will apply to the
11 main question, to all the amendments, or to particular
12 amendments. The motion requires an affirmative vote of
13 at least a constitutional majority of the members. If
14 the motion for a previous question is not adopted, the
15 house shall proceed in the same manner as before the
16 motion was made.
17 If the motion is adopted, all debate must end and
18 the house will vote upon the question except:
19 1. If the motion applies to the main question, the
20 member in charge of the measure will have ten minutes
21 to speak for the purpose of closing discussion before
22 the vote on the measure is taken.
23 2. If the motion applies to an amendment, the
24 member proposing the amendment will have five minutes
25 to speak for the purpose of closing discussion before
26 the vote on the amendment is taken.
27 3. If a member has filed a written request with
28 the chief clerk of the house indicating the member's
29 desire to speak on a particular question. The request
30 must be filed before the motion is made by the movant.

Page 42

1 The request allows a member to speak on a particular
2 question before the closing discussion by the member
3 who is in charge of the measure or who is proposing the
4 amendment.
5 Rule 82
6 Division of the Question
7 Any member may call for a division of the question,
8 which shall be divided if it comprehends questions so

9 distinct that one being taken away, the remainder may
10 stand separately for discussion by the house. Upon
11 request to divide an amendment, the chief clerk shall
12 restate the division and note the divided amendment in
13 the house journal. An amendment to strike out being
14 lost shall not preclude an amendment to strike out and
15 insert. An amendment to strike out and insert shall be
16 deemed indivisible.

Rogers of Black Hawk offered amendment [H-1006](#) filed by him and moved its adoption.

Amendment [H-1006](#) was adopted.

Rogers of Black Hawk moved the adoption of [House Resolution 4](#), as amended.

The motion prevailed and the resolution, as amended, was adopted.

ADOPTION OF [HOUSE RESOLUTION 5](#)

Upmeyer of Cerro Gordo called up for consideration [House Resolution 5](#), as follows:

[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-sixth
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

Page 2

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

Page 3

1 indirectly, from a political action committee. A
2 member of the house shall not act as a paid lobbyist
3 for any organization. However, this paragraph shall
4 not prohibit a member or employee of the house from
5 working for a candidate's committee, a political
6 party's action committee, or a political action
7 committee which does not expressly advocate the
8 nomination, election, or defeat of a candidate for
9 public office in this state or expressly advocate the
10 passage or defeat of a ballot issue in this state and
11 which is not interested in issues before the general

12 assembly.

13 For the purpose of this rule, a political action
14 committee means a committee, but not a candidate's
15 committee, which accepts contributions, makes
16 expenditures, or incurs indebtedness in the aggregate
17 of more than seven hundred fifty dollars in any one
18 calendar year to expressly advocate the nomination,
19 election, or defeat of a candidate for public office 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 member
24 or employee of the house shall not solicit employment
25 on behalf of the member or employee, or on behalf of
26 another legislator or employee, as a lobbyist while the
27 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

Page 4

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

Page 5

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

Page 6

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

Page 7

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 joint

Page 8

1 rules governing lobbyists, or chapter 68B of the Code.
2 b. Complaints by committee. The ethics committee
3 may initiate a complaint on its own motion. Committee

4 complaints may be initiated by the committee as a
5 result of a committee investigation or as a result of
6 receipt of any complaint or other information that does
7 not meet the requirements of these rules regarding the
8 form of a complaint but that contains allegations that
9 would form the basis for a valid complaint.

10 c. Form and contents of complaint. A complaint
11 shall be in writing.

12 Complaint forms shall be available from the chief
13 clerk of the house, but a complaint shall not be
14 rejected for failure to use the approved form if it
15 complies with the requirements of these rules. The
16 complaint shall contain a certification made by the
17 complainant, under penalty of perjury, that the facts
18 stated in the complaint are true to the best of the
19 complainant's knowledge.

20 To be valid, a complaint shall allege all of the
21 following:

22 (1) Facts, that if true, establish a violation of
23 a provision of chapter 68B of the Code, the house code
24 of ethics, or joint rules governing lobbyists for which
25 penalties or other remedies are provided.

26 (2) That the conduct providing the basis for the
27 complaint occurred within three years of the filing of
28 the complaint.

29 (3) That the party charged with a violation is
30 a party subject to the jurisdiction of the ethics

Page 9

1 committee.

2 d. Confidentiality of complaint. The identity of
3 the parties and the contents of the complaint shall
4 be confidential until the time that the committee
5 chairperson and ranking member determine under
6 paragraph "f" that the complaint is sufficient as
7 to form, unless either the complainant or the party
8 charged in the complaint makes the identity of the
9 parties, or the information contained in the complaint,
10 public. The chief clerk of the house and the committee
11 chairperson and ranking member may communicate
12 confidentially with appropriate legislative staff
13 during any stage of the complaint process.

14 e. Notice of complaint. Upon receipt of the
15 complaint, the chief clerk of the house shall promptly
16 notify the chairperson and ranking member of the
17 ethics committee that a complaint has been filed and
18 provide both the chairperson and the ranking member
19 with copies of the complaint and any supporting
20 information. Within two working days, the chief clerk
21 shall send notice, either by personal delivery or by
22 certified mail, return receipt requested, to the person

23 or persons alleged to have committed the violation,
24 along with a copy of the complaint and any supporting
25 information. The notice to the accused person shall
26 contain a request that the person submit a written
27 response to the complaint within ten working days of
28 the date that the notice was sent by the chief clerk.
29 At the request of the accused person, the committee may
30 extend the time for the response, not to exceed ten

Page 10

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

Page 11

1 against a validity determination.
2 If the committee finds that a complaint does not
3 meet the content requirements for a valid complaint,
4 the committee shall dismiss the complaint and notify
5 both the complainant and the party alleged to have
6 committed the violation of the dismissal and the
7 reasons for dismissal. A dismissal for failure to meet
8 the formal requirements for the filing of a complaint

9 shall be without prejudice and the complainant may
10 refile the complaint at any time within three years
11 of the date that the alleged violation took place. If
12 the dismissal is based upon a failure to allege facts
13 and circumstances necessary for a valid complaint, the
14 dismissal shall be with prejudice and the party shall
15 not be permitted to file a complaint based upon the
16 same facts and circumstances.

17 g. Action on undisputed complaint. If the committee
18 determines a complaint is valid and determines no
19 dispute exists between the parties regarding the
20 material facts that establish a violation, the
21 committee may take action on the complaint under this
22 paragraph without requesting the appointment of an
23 independent special counsel.

24 The committee may do any of the following:

25 (1) Issue an admonishment to advise against the
26 conduct that formed the basis for the complaint and to
27 exercise care in the future.

28 (2) Issue an order to cease and desist the conduct
29 that formed the basis for the complaint.

30 (3) Make a recommendation to the house that

Page 12

1 the person subject to the complaint be censured or
2 reprimanded.
3 h. Request for appointment of independent special
4 counsel. If, after review of the complaint and any
5 response made by the party alleged to have committed
6 the violation, the committee determines that the
7 complaint meets the requirements for form and content
8 and the committee has not taken action under paragraph
9 "g", the committee shall request that the chief justice
10 of the supreme court appoint independent special
11 counsel to investigate the matter and determine whether
12 probable cause exists to believe that a violation of
13 chapter 68B of the Code, the house code of ethics, or
14 the joint rules governing lobbyists has occurred.

15 i. Receipt of report of independent special counsel.
16 The report from the independent special counsel
17 regarding probable cause to proceed on a complaint
18 shall be filed with the chief clerk of the house.
19 Upon receipt of the report of the independent special
20 counsel, the chief clerk shall notify the chairperson
21 of the filing of the report and shall send copies of
22 the report to the members of the ethics committee. As
23 soon as practicable after the filing of the report, the
24 chairperson shall schedule a public meeting for review
25 of the report. The purpose of the public meeting
26 shall be to determine whether the complaint should be
27 dismissed, whether a formal hearing should be held on

28 the complaint, or whether other committee action is
29 appropriate. The complainant and the person alleged to
30 have committed the violation shall be given notice of

Page 13

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

Page 14

1 production of such books, records, correspondence,
2 memoranda, papers, documents, and any other things it
3 deems necessary to the conduct of the inquiry.
4 Evidence at the formal hearing shall be received
5 in accordance with rules and procedures applicable to
6 contested cases under chapter 17A of the Code.
7 The committee chairperson, or the vice chairperson
8 or ranking member in the absence of the chairperson,
9 shall preside at the formal hearing and shall rule on
10 the admissibility of any evidence received. The ruling
11 of the chairperson may be overturned by a majority
12 vote of the committee. Independent special counsel
13 shall present the evidence in support of the charge

14 or charges. The burden shall be on the independent
15 special counsel to prove the charge or charges by
16 a preponderance of clear and convincing evidence.
17 Upon completion of the formal hearing, the committee
18 shall adopt written findings of fact and conclusions
19 concerning the merits of the charges and make its
20 report and recommendation to the house.
21 k. Disqualification of member. Members of the
22 committee may disqualify themselves from participating
23 in any investigation of the conduct of another person
24 upon submission of a written statement that the member
25 cannot render an impartial and unbiased decision
26 in a case. A member may also be disqualified by a
27 unanimous vote of the remaining eligible members of the
28 committee.
29 A member of the committee is ineligible to
30 participate in committee meetings, as a member of the

Page 15

1 committee, in any proceeding relating to the member's
2 own official conduct.
3 If a member of the committee is disqualified or
4 ineligible to act, the majority or minority leader who
5 appointed the member shall appoint a replacement member
6 to serve as a member of the committee during the period
7 of disqualification or ineligibility.
8 l. Recommendations by the committee. The committee
9 shall recommend to the house that the complaint be
10 dismissed, or that one or more of the following be
11 imposed:
12 (1) That the member or employee of the house
13 or lobbyist or client of a lobbyist be censured or
14 reprimanded, and the recommended appropriate form of
15 censure or reprimand be used.
16 (2) That the member of the house be suspended or
17 expelled from membership in the house and required
18 to forfeit the member's salary for that period, the
19 employee of the house be suspended or dismissed from
20 employment, or that the lobbyist's or lobbyist's
21 client's lobbying privileges be suspended.
22 13. COMMUNICATIONS WITH ETHICS COMMITTEE. After a
23 complaint has been filed or an investigation has been
24 initiated, a party to the complaint or investigation
25 shall not communicate, or cause another to communicate,
26 as to the merits of the complaint or investigation with
27 a member of the committee, except under the following
28 circumstances:
29 a. During the course of any meetings or other
30 official proceedings of the committee regarding the

Page 16

1 complaint or investigation.
2 b. In writing, if a copy of the writing is
3 delivered to the adverse party or the designated
4 representative for the adverse party.
5 c. Orally, if adequate prior notice of the
6 communication is given to the adverse party or the
7 designated representative for the adverse party.
8 d. As otherwise authorized by statute, the house
9 code of ethics, joint rules governing lobbyists, or
10 vote of the committee.
11 14. PERMANENT RECORD. The chief clerk of the house
12 shall maintain a permanent record of all complaints
13 filed and any corresponding committee action. The
14 permanent record shall be prepared by the ethics
15 committee and shall contain the date the complaint was
16 filed, name and address of the complainant, name and
17 address of the accused person, a brief statement of the
18 charges made, any evidence received by the committee,
19 any transcripts or recordings of committee action,
20 and ultimate disposition of the complaint. Except as
21 provided in rule 12, paragraph "d", the chief clerk
22 shall keep each complaint confidential until public
23 disclosure is made by the ethics committee.
24 15. MEETING AUTHORIZATION. The house ethics
25 committee is authorized to meet at the discretion of
26 the committee chairperson in order to conduct hearings
27 and other business that properly may come before it.
28 If the committee submits a report seeking house action
29 against a member or employee of the house or lobbyist
30 after the second regular session of a general assembly

Page 17

1 has adjourned sine die, the report shall be submitted
2 to and considered by the subsequent general assembly.
3 16. ADVISORY OPINIONS.
4 a. Requests for formal opinions. A request for a
5 formal advisory opinion may be filed by any person who
6 is subject to the authority of the ethics committee.
7 The ethics committee may also issue a formal advisory
8 opinion on its own motion, without having previously
9 received a formal request for an opinion, on any issue
10 that is within the jurisdiction of the committee.
11 Requests shall be filed with either the chief clerk of
12 the house or the chairperson of the ethics committee.
13 b. Form and contents of requests. A request for
14 a formal advisory opinion shall be in writing and
15 may pertain to any subject matter that is related to
16 application of the house code of ethics, the joint
17 rules governing lobbyists, or chapter 68B of the

18 Code to any person who is subject to the authority of
 19 the ethics committee. Requests shall contain one or
 20 more specific questions and shall relate either to
 21 future conduct or be stated in the hypothetical. A
 22 request for an advisory opinion shall not specifically
 23 name any individual or contain any other specific
 24 identifying information, unless the request relates
 25 to the requester's own conduct. However, any request
 26 may contain information which identifies the kind
 27 of individual who may be affected by the subject
 28 matter of the request. Examples of this latter kind
 29 of identifying information may include references to
 30 conduct of a category of individuals, such as but not

Page 18

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

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

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

26 This form is due each year on or before February 15.
 27 The reporting period is the most recently completed
 28 calendar year. An amended form shall be filed if a
 29 change in business, occupation, or profession reported
 30 in Division I of the form has occurred. The amended

Page 19

1 form shall include the date the change took effect and
 2 must be filed within thirty days of the first day of
 3 the change in employment or engagement necessitating

4 the amended form. If the date of the change occurs
5 between January 1 and February 15, the change shall be
6 included in the filing due February 15.

7 In completing Division III of this form, if your
8 percentage of ownership of an asset is less than 100
9 percent, multiply your percentage of ownership by the
10 total revenue produced to determine if you have reached
11 the \$1,000 threshold.

12 Do not report income received by your spouse or
13 other family members.

14 In completing this form, if insufficient space is
15 provided for your answer, you may attach additional
16 information/answers on full-size sheets of paper.

17 Division I. Business, Occupation, or Profession.

18 List each business, occupation, or profession in
19 which you are engaged, the nature of the business if
20 not evident, and your position or job title. No income
21 threshold or time requirement applies.

22 Examples:

23 If you are employed by an individual, state the name
24 of the individual employer, the nature of the business,
25 and your position.

26 If you are self-employed and are not incorporated
27 or are not doing business under a particular business
28 name, state that you are self-employed, the nature of
29 the business, and your position.

30 If you own your own corporation, are employed by a

Page 20

1 corporation, or are doing business under a particular
2 business name, state the name and nature of the
3 business or corporation and your position.

- 4 _____
- 5 _____
- 6 _____
- 7 _____
- 8 _____
- 9 _____

10 Division II. Commissions from Sales of Goods or
11 Services to Political Subdivisions.

12 This part is to be completed only by Legislators.

13 If you received income in the form of a commission
14 from the sale of goods or services to a political
15 subdivision, state the name of the purchasing political
16 subdivision. The amount of commission earned is not
17 required to be listed.

- 18 _____
- 19 _____
- 20 _____
- 21 _____
- 22 _____

23 6 _____
 24 Division III. Sources of Gross Income.
 25 In each one of the following categories list each
 26 source which produces more than \$1,000 in annual gross
 27 income, if the revenue produced by the source was
 28 subject to federal or state income taxes last year.
 29 List the nature or type of each company, business,
 30 financial institution, corporation, partnership, or

Page 21

1 other entity which produces more than \$1,000 of annual
 2 gross income. Neither the amount of income produced
 3 nor value of the holding is required to be listed in
 4 any of the items.
 5 A. Securities: State the nature of the business of
 6 any company in which you hold stock, bonds, or other
 7 pecuniary interests that generate more than \$1,000
 8 in annual gross income. Income generated by multiple
 9 holdings in a single company are deemed received from a
 10 single source.
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____

17 B. Instruments of Financial Institutions: State
 18 the types of institutions in which you hold financial
 19 instruments, such as certificates of deposit, savings
 20 accounts, etc., that produce annual gross income in
 21 excess of \$1,000, e.g., banks, savings and loans, or
 22 credit unions.
 23 _____
 24 _____
 25 _____
 26 _____
 27 _____
 28 _____

29 C. Trusts: State the nature or type of any trust
 30 from which you receive more than \$1,000 of gross income

Page 22

1 annually.
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____
 7 _____
 8 D. Real Estate: State the general nature of real

9 estate interests that generate more than \$1,000 of
 10 gross income annually, e.g., residential leasehold
 11 interest or farm leasehold interest. The size or
 12 location of the property interest is not required to be
 13 listed.

14 _____
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____

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

23 _____
 24 _____
 25 _____
 26 _____
 27 _____
 28 _____

29 F. Other Income Categories Specified in State and
 30 Federal Income Tax Regulations.

Page 23

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____
 7 (Signature of Filer) (Date) _____

R. Taylor of Dallas moved the adoption of [House Resolution 5](#).

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 5](#)

Upmeyer of Cerro Gordo called up for consideration [House Concurrent Resolution 5](#), as follows, and moved its adoption.

[HOUSE CONCURRENT RESOLUTION 5](#)

BY PAULSEN and M. SMITH

1 A concurrent resolution to provide for a joint
 2 convention.
 3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
 4 SENATE CONCURRING, That a joint convention of the two
 5 houses of the 2015 session of the Eighty-sixth General

6 Assembly be held on Thursday, February 5, 2015, at
 7 10:00 a.m.; and
 8 BE IT FURTHER RESOLVED, That Major General Timothy
 9 Orr be invited to present his message of the condition
 10 of the Iowa National Guard at this convention.

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 6](#)

Upmeyer of Cerro Gordo called up for consideration [House Concurrent Resolution 6](#), as follows:

[HOUSE CONCURRENT RESOLUTION 6](#)

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-sixth 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-fifth~~
 7 Eighty-sixth 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

Page 2

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.

Page 4

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

Page 5

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

Page 6

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:

Page 7

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,

Page 8

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

Page 9

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

Page 10

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

Page 11

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

Page 12

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

Page 13

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

Page 14

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

Page 15

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

Page 16

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 or whose
6 applicability has been suspended until the adjournment
7 of the next regular session of the general assembly
8 by the administrative rules review committee, bills

9 cosponsored by majority and minority floor leaders of
10 one house, bills in conference committee, and companion
11 bills sponsored by the majority floor leaders of both
12 houses after consultation with the respective minority
13 floor leaders. For the purposes of this rule, a joint
14 resolution is considered as a bill. To be considered
15 an appropriations, ways and means, or government
16 oversight bill for the purposes of this rule, the
17 appropriations committee, the ways and means committee,
18 or the government oversight committee must either
19 be the sponsor of the bill or the committee of first
20 referral in the originating house.

21 2. To be placed on the calendar in the house of
22 origin, a bill must be first reported out of a standing
23 committee by Friday of the 8th week of the first
24 session and the 6th week of the second session. To be
25 placed on the calendar in the other house, a bill must
26 be first reported out of a standing committee by Friday
27 of the 12th week of the first session and the 9th week
28 of the second session.

29 3. During the 10th week of the first session and
30 the 7th week of the second session, each house shall

Page 17

1 consider only bills originating in that house and
2 unfinished business. During the 13th week of the
3 first session and the 10th week of the second session,
4 each house shall consider only bills originating in
5 the other house and unfinished business. Beginning
6 with the 14th week of the first session and the 11th
7 week of the second session, each house shall consider
8 only bills passed by both houses, bills exempt from
9 subsection 2, and unfinished business.

10 4. A motion to reconsider filed and not disposed
11 of on an action taken on a bill or resolution which is
12 subject to a deadline under this rule may be called up
13 at any time before or after the day of the deadline by
14 the person filing the motion or after the deadline by
15 the majority floor leader, notwithstanding any other
16 rule to the contrary.

17 Rule 21 18 Resolutions

19 1. A "concurrent resolution" is a resolution to
20 be adopted by both houses of the general assembly
21 which expresses the sentiment of the general assembly
22 or deals with temporary legislative matters. It
23 may authorize the expenditure, for any legislative
24 purpose, of funds appropriated to the general assembly.
25 A concurrent resolution is not limited to, but may
26 provide for a joint convention of the general assembly,
27 adjournment or recess of the general assembly, or

28 requests to a state agency or to the general assembly
29 or a committee. A concurrent resolution requires
30 the affirmative vote of a majority of the senators or

Page 18

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

Page 19

1 a severable item of an administrative rule adopted
2 pursuant to chapter 17A of the Code. A nullification
3 resolution shall not amend an administrative rule by
4 adding language or by inserting new language in lieu of
5 existing language.
6 A nullification resolution is debatable, but cannot
7 be amended on the floor of the house or senate. The
8 effective date of a nullification resolution shall
9 be stated in the resolution. Any motions filed to
10 reconsider adoption of a nullification resolution
11 must be disposed of within one legislative day of the
12 filing.
13 Rule 23

14 Consideration of Vetoes

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

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

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

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

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

Page 20

1 3. Upon first publication in the veto calendar, the
2 senate majority leader or the house majority leader
3 may call up a vetoed bill or appropriations item at any
4 time.

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

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

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

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

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

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

26 Rule 24

27 Special Rules Regarding Redistricting

28 1. If, pursuant to chapter 42, either the senate or
29 the house of representatives rejects a redistricting
30 plan submitted by the legislative services agency, the

Page 21

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

Rogers of Black Hawk moved the adoption of [House Concurrent Resolution 6](#).

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 7](#)

Upmeyer of Cerro Gordo called up for consideration [House Concurrent Resolution 7](#), as follows:

[HOUSE CONCURRENT RESOLUTION 7](#)

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-sixth General
4 Assembly.
5 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
6 THE SENATE CONCURRING, That the joint rules governing
7 lobbyists of the Senate and House of Representatives
8 for the ~~Eighty-fifth~~ Eighty-sixth General Assembly
9 shall be as follows:
10 JOINT RULES GOVERNING LOBBYISTS
11 Rule 1
12 DEFINITIONS
13 As used in these rules, "client", "gift",
14 "honoraria" or "honorarium", "immediate family member",
15 and "lobbyist" have the meaning provided in chapter
16 68B of the Code. As used in these rules, the term
17 "political action committee" means a committee, but not
18 a candidate's committee, which accepts contributions,

19 makes expenditures, or incurs indebtedness in the
20 aggregate of more than seven hundred fifty dollars
21 in any one calendar year to expressly advocate the
22 nomination, election, or defeat of a candidate for
23 public office or to expressly advocate the passage or
24 defeat of a ballot issue or influencing legislative
25 action, or an association, lodge, society, cooperative,
26 union, fraternity, sorority, educational institution,
27 civic organization, labor organization, religious

Page 2

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

8 Rule 2

9 REGISTRATION REQUIRED

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

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

Page 3

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

5 3. Registration expires upon the commencement of
6 the next regular session of the general assembly,
7 except that the chief clerk of the house and secretary

8 of the senate may adopt and implement a reasonable
9 preregistration procedure in advance of each regular
10 session during which persons may register for that
11 session and the following legislative interim.

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

23 5. If a registered lobbyist represents more than
24 one employer, client, or cause and the lobbyist's
25 services are concluded on behalf of a particular
26 employer, client, or cause after the lobbyist registers
27 but before the first day of the next legislative
28 session, the lobbyist shall file an amendment to the
29 lobbyist's registration indicating which employer,
30 client, or cause is no longer represented by the

Page 4

1 lobbyist and the date upon which the representation
2 concluded.

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

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

15 Rule 3

16 ELECTRONIC FILING

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

23 Rule 4

24 LOBBYIST'S CLIENT REPORTING

25 1. Each lobbyist's client shall file the reports
26 required under section 68B.38 with the chief clerk of

27 the house or the secretary of the senate.
28 2. For purposes of this rule, and the report
29 required under section 68B.38, "lobbying purposes"
30 include but are not limited to the following:

Page 5

1 a. Time spent by the lobbyist at the state capitol
2 building commencing with the first day of a legislative
3 session and ending with the day of final adjournment of
4 each legislative session as indicated by the journals
5 of the house and senate.
6 b. Time spent by the lobbyist attending meetings or
7 hearings which results in the lobbyist communicating
8 with members of the general assembly or legislative
9 employees about current or proposed legislation.
10 c. Time spent by the lobbyist researching and
11 drafting proposed legislation with the intent to submit
12 the legislation to a member of the general assembly or
13 a legislative employee.
14 d. Time spent by the lobbyist actually
15 communicating with members of the general assembly
16 and legislative employees about current or proposed
17 legislation.
18 Rule 5
19 GOVERNMENT OFFICIALS - OPPOSITION LOBBYING
20 Federal, state, and local officials who wish to
21 lobby in opposition to their departments, commissions,
22 boards, or agencies must indicate such on their
23 lobbyist registration statements.
24 Rule 6
25 PUBLIC ACCESS
26 All information filed by a lobbyist or a client
27 of a lobbyist pursuant to chapter 68B of the Code is
28 a public record and open to public inspection at any
29 reasonable time.
30 Rule 7

Page 6

1 CHARGE ACCOUNTS
2 Lobbyists and clients of lobbyists shall not allow
3 members to charge any amounts or items to a charge
4 account to be paid for by those lobbyists or clients of
5 lobbyists.
6 Rule 8
7 MEMBERSHIP CONTRIBUTIONS
8 A lobbyist or client of a lobbyist shall not
9 pay for membership in or contributions to clubs or
10 organizations on behalf of a member.
11 Rule 9
12 FEE OR BONUS PROHIBITED

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

17 Rule 10

18 OFFERS OF ECONOMIC OR INVESTMENT OPPORTUNITY

19 1. A lobbyist, an employer or client of a lobbyist,

20 or a political action committee shall not offer

21 economic or investment opportunity or promise of
22 employment to any member with intent to influence
23 conduct in the performance of official duties.

24 2. A lobbyist shall not take action intended to

25 negatively affect the economic interests of a member.

26 For purposes of this rule, supporting or opposing a

27 candidate for office or supporting or opposing a bill,

28 amendment, or resolution shall not be considered to

29 be action intended to negatively affect the economic

30 interests of a member.

Page 7

1 Rule 11

2 PERSONAL OR FINANCIAL OBLIGATION

3 A lobbyist shall not do anything with the purpose of

4 placing a member under personal or financial obligation

5 to a lobbyist or a lobbyist's principal or agent.

6 Rule 12

7 ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT

8 A lobbyist shall not cause or influence the

9 introduction of any bill or amendment for the purpose

10 of being employed to secure its passage or defeat.

11 Rule 13

12 CAMPAIGN SUPPORT

13 A lobbyist shall not influence or attempt to

14 influence a member's actions by the promise of

15 financial support for the member's candidacy or threat

16 of financial support for an opposition candidate. A

17 lobbyist shall not make a campaign contribution to a

18 member or to a member's candidate's committee during

19 the time that the general assembly is in session.

20 Rule 14

21 COMMUNICATION WITH MEMBER'S EMPLOYER PROHIBITED

22 A lobbyist shall not communicate with a member's

23 employer for the purpose of influencing a vote of the

24 member.

25 Rule 15

26 EXCESS PAYMENTS

27 A lobbyist shall not pay or agree to pay to a member

28 a price, fee, compensation, or other consideration for

29 the sale or lease of any property or the furnishing of

30 services which is substantially in excess of that which

Page 8

1 other persons in the same business or profession would
2 charge in the ordinary course of business.

3 Rule 16

4 PROHIBITION AGAINST GIFTS

5 1. A lobbyist or client of a lobbyist shall not,
6 directly or indirectly, offer or make a gift or series
7 of gifts to any member or full-time permanent employee
8 of the house or senate or the immediate family members
9 of a member or full-time permanent employee of the
10 house or senate except as otherwise provided in section
11 68B.22 of the Code. A lobbyist or client of a lobbyist
12 who intends or plans to give a nonmonetary item, other
13 than food or drink consumed in the presence of the
14 donor, which does not have a readily ascertainable
15 value, to a member or full-time permanent employee of
16 the house or senate, prior to giving or sending the
17 item to the member or employee, shall seek approval
18 of the item from the chief clerk of the house or the
19 secretary of the senate, as applicable. A lobbyist or
20 client of a lobbyist who seeks approval of an item from
21 the chief clerk of the house or the secretary of the
22 senate shall submit the item and evidence of the value
23 of the item at the time that approval is requested.

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

30 Rule 17

Page 9

1 FINANCIAL TRANSACTIONS

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

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

12 Rule 18

13 HONORARIA - RESTRICTIONS

14 A lobbyist or client of a lobbyist shall not pay
15 an honorarium to a member or employee of the house or
16 senate for a speaking engagement or other formal public
17 appearance in the official capacity of the member or

18 employee except as otherwise provided in section 68B.23
19 of the Code.

20 Rule 19

21 COMPLAINTS

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

25 Rule 20

26 PROCEDURES AND FORMS

27 The chief clerk of the house and the secretary of
28 the senate, subject to the approval of the house or
29 senate ethics committee, as applicable, shall prescribe
30 procedures for compliance with these rules, and shall

Page 10

1 prepare forms for the filing of complaints and make
2 them available to any person.

3 Rule 21

4 EFFECTIVE PERIOD

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

9 Rule 22

10 ADDITIONAL RULES

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

R. Taylor of Dallas moved the adoption of [House Concurrent Resolution 7](#).

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Upmeyer of Cerro Gordo asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolutions 5, 6 and 7.**

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 101](#) Human Resources

Relating to the licensure of acupuncturists.

H.S.B. 102 Human Resources

Relating to third-party payment of services provided by physical therapists, occupational therapists, and speech pathologists.

H.S.B. 103 Human Resources

Relating to licensure of anesthesiologist assistants, providing for fees, and making penalties applicable.

H.S.B. 104 Commerce

Relating to and providing for the facilitation of broadband access in targeted areas of the state, including property tax incentives for broadband infrastructure installation, a broadband grant program and fund, making appropriations, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 103**

Transportation: Pettengill, Chair; Dawson and Landon.

House File 110

Transportation: Landon, Chair; Best and Oldson.

House File 111

Transportation: Landon, Chair; Best and Oldson.

House File 112

Transportation: Best, Chair; Landon and Lykam.

House File 117

Natural Resources: Baudler, Chair; Koester and Thede.

House File 126

Education: Salmon, Chair; Abdul-Samad and Mommsen.

House File 127

Education: Dolecheck, Chair; Cohoon and Highfill.

[House File 132](#)

Education: Dolecheck, Chair; Mommsen and Steckman.

[House File 133](#)

Human Resources: Fry, Chair; Bacon and Gaines.

[House File 141](#)

Human Resources: Heaton, Chair; Abdul-Samad and Wills.

[House File 143](#)

Local Government: Highfill, Chair; Gassman and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 101](#)

Human Resources: R. Taylor, Chair; Abdul-Samad and Best.

[House Study Bill 102](#)

Human Resources: Heaton, Chair; McConkey and Salmon.

[House Study Bill 103](#)

Human Resources: R. Taylor, Chair; Best and Heddens.

[House Study Bill 104](#)

Commerce: Cownie, Chair; Hall, Oldson, Sands and Soderberg.

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 COMMERCE

Committee Bill (Formerly [House Study Bill 70](#)), concerning access to documents during the competitive bidding process for public improvement contracts.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 3, 2015.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House Study Bill 5](#)), modifying reporting requirements relating to veterans attending postsecondary educational institutions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 3, 2015.

Committee Bill (Formerly [House Study Bill 40](#)), relating to the disabled veteran homestead tax credit by modifying eligibility criteria and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 3, 2015.

RESOLUTION FILED

[H.R. 8](#), by H. Miller, Abdul-Samad, Berry, Thede, Kelley, Landon, Fisher, Vander Linden, Jorgensen, Watts, Hagenow, Deyoe, Soderberg, Worthan, Moore, Byrnes, Baltimore, Meyer, Mommsen, Holt, Brown-Powers, Gaines, Sands, Huseman, Pettengill, Heddens, Finkenauer, Stutsman, Winckler, Isenhardt, Lykam, Cohoon, Dolecheck, McConkey, Anderson, Gassman, T. Taylor, Hunter, Jacoby, Nunn, Wessel-Kroeschell, Hanson, Olson, Oldson, Wolfe, Hall, Bearinger, Kaufmann, Windschitl, Sexton, Klein, Ruff, Running-Marquardt, Steckman, Bacon, Baxter, Gustafson, Forbes, Kressig, Dawson, Rogers, Cownie, Ourth, Paustian, Dunkel, Staed, Kearns, Gaskill, Prichard, Smith, Lensing, Bennett, Mascher, Salmon, Maxwell, L. Miller, Fry, Upmeyer, Forristall, Hanusa, Jones, Paulsen, Drake, Koester, Stanerson, Branhagen, Rizer, Heartsill, Wills, Grassley, Sheets, R. Taylor, Carlson, Kooiker, Hein, Heaton, Best, and Highfill, a resolution recognizing the 50th anniversary of the milestone achieved by the first African Americans to serve in the Iowa General Assembly, the Honorable Willie Stevenson Glanton and the Honorable James H. Jackson.

Laid over under **Rule 25**.

On motion by Upmeyer of Cerro Gordo, the House adjourned at 8:42 a.m., until 8:30 a.m., Wednesday, February 4, 2015.