

*Substitute for by SCR 6
(p. 324) 2/7/01*

FEB 5 2001
Place On Calendar

1 HOUSE CONCURRENT RESOLUTION NO. 7
2 BY COMMITTEE ON ADMINISTRATION AND RULES
3 A Concurrent Resolution relating to joint rules of
4 the Senate and House of Representatives for the
5 Seventy-ninth General Assembly.
6 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
7 SENATE CONCURRING, That the joint rules of the Senate
8 and House of Representatives for the Seventy-eighth
9 Seventy-ninth General Assembly shall be:
10 JOINT RULES OF THE
11 SENATE AND HOUSE
12 Rule 1
13 Suspension of Joint Rules
14 The joint rules of the general assembly may be
15 suspended by concurrent resolution, duly adopted by a
16 constitutional majority of the senate and the house.
17 Rule 2
18 Designation of Sessions
19 Each regular session of a general assembly shall be
20 designated by the year in which such regular session
21 commences.
22 Rule 3
23 Sessions of a General Assembly
24 The election of officers, organization, hiring and
25 compensation of employees, and standing committees in
26 each house of the general assembly and action taken by
27 each house shall carry over from the first to the
28 second regular session and to any extraordinary
29 session of the same general assembly. The status of
30 each bill and resolution shall be the same at the

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

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

22 Rule 3A

23 International Relations Protocol

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

28 Rule 4

29 Presentation of Messages

30 All messages between the two houses shall be sent

1 by the secretary of the senate or the chief clerk of
2 the house of representatives, shall be communicated to
3 the presiding officer.

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Rule 5

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Printing and Form of Bills

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and Other Documents

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

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Rule 6

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Companion Bills

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

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Rule 7

Reprinting of Bills

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

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

Rule 8

Daily Clip Sheet

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

Rule 9

Reintroduction of Bills and Other Measures

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

Rule 10

Certification of Bills and Other Enrollments

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

Rule 11

Code Editor's Correction Bills

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 within the first four
4 weeks of convening of a legislative session and which
5 contains Code corrections of a nonsubstantive nature
6 shall not be amended on the floor of either house
7 except pursuant to corrective or nonsubstantive
8 amendments filed by the judiciary committee of the
9 senate or the house. Such committee amendments,
10 whether filed at the time of initial committee passage
11 of the bill to the floor for debate or after
12 rereferral to the committee, shall not be incorporated
13 into the bill in the originating house but shall be
14 filed separately. Amendments filed from the floor to
15 strike sections of the bill or the committee
16 amendments shall be in order. Following amendment and
17 passage by the second house, only amendments filed
18 from the floor which strike sections of the amendment
19 of the second house shall be in order.

20 A bill recommended by the Code editor which is
21 passed out of committee to the floor for debate by a
22 committee of the house or senate within the first four
23 weeks of convening of a legislative session and which
24 contains Code corrections beyond those of a
25 nonsubstantive nature shall not be amended on the
26 floor of either house except pursuant to amendments
27 filed by the judiciary committee of the senate or the
28 house. Such committee amendments, whether filed at
29 the time of initial committee passage of the bill to
30 the floor for debate or after rereferral to the

1 the last time and immediately placed upon its final
2 passage; or

3 (2) Insist, which will send the bill to a
4 conference committee.

5 c. If the house originating the bill amends the
6 amendment, that house shall concur in the amendment as
7 amended and the bill shall be immediately placed on
8 final passage, and shall be returned to the other
9 house. The other house cannot further amend the bill.

10 (1) If the amending house which gave second
11 consideration to the bill concurs in the amendment to
12 the amendment, the bill shall then be immediately
13 placed upon its final passage.

14 (2) If the amending house refuses to concur in the
15 amendment to the amendment, the bill shall be returned
16 to the house originating the bill which shall either:

17 (a) Recede, after which the bill shall be read for
18 the last time as amended and immediately placed upon
19 its final passage; or

20 (b) Insist, which will send the bill to a
21 conference committee.

22 2. A motion to recede has precedence over a motion
23 to insist. Failure to recede means to insist; and
24 failure to insist means to recede.

25 3. A motion to lay on the table or to indefinitely
26 postpone shall be out of order with respect to motions
27 to recede from or insist upon and to amendments to
28 bills which have passed both houses.

29 4. A motion to concur, refuse to concur, recede,
30 insist, or adopt a conference committee report is in

1 order even though the subject matter has previously
2 been acted upon.

3 Rule 13

4 Conference Committee

5 1. Within one legislative day after either house
6 insists upon an amendment to a bill, the presiding
7 officer of the house, after consultation with the
8 majority leader, shall appoint three majority party
9 members and, after consultation with the minority
10 leader, shall appoint two minority party members to a
11 conference committee. The majority leader of the
12 senate, after consultation with the president, shall
13 appoint three majority party members and, after
14 consultation with and approval by the minority leader,
15 shall appoint two minority party members to a
16 conference committee. The papers shall remain with
17 the house that originated the bill.

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

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

1 committee report and shall have the same effect as if
2 the conference committee had disagreed.

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

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

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

23 7. If the conference committee fails to reach
24 agreement, a report of such failure signed by at least
25 three members of each house shall be given promptly to
26 each house. The bill shall be returned to the house
27 that originated the bill, the members of the committee
28 shall be immediately discharged, and a new conference
29 committee appointed in the same manner as the first
30 conference committee.

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

8 Rule 14

9 Enrollment and Authentication of Bills

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

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

19 Rule 15

20 Concerning other Enrollments

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

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

30 Rule 16

1 Transmission of Bills to the Governor

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

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 Rule 17

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 Fiscal Notes

11 A fiscal note shall be attached to any bill or
12 joint resolution which reasonably could have an annual
13 effect of at least one hundred thousand dollars or a
14 combined total effect within five years after
15 enactment of five hundred thousand dollars or more on
16 the aggregate revenues, expenditures, or fiscal
17 liability of the state or its subdivisions. This rule
18 does not apply to appropriation and ways and means
19 measures where the total effect is stated in dollar
20 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 its
24 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
28 succeeding three years. The fiscal note shall specify
29 the source of the information. Sources of funds for
30 expenditures under the bill shall be stated, including

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

5 The preliminary determination of whether the bill
6 appears to require a fiscal note shall be made by the
7 legislative service bureau which shall send a copy of
8 the request to the legislative fiscal bureau unless
9 the requestor specifies the request is to be
10 confidential. Upon completion of the bill draft, the
11 legislative service bureau shall immediately send a
12 copy to the legislative fiscal director for review.

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

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

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

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

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

5 The legislative fiscal 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 bill
17 is under consideration may waive the fiscal note
18 requirement during the three days prior to the date
19 set 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
28 must be registered with the offices of the secretary
29 of the senate and the chief clerk of the house.

30 The purpose of the legislative intern program shall

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

16 2. Provide legislators with a list of
17 participating institutions and the names of
18 supervising professors to contact if interested in
19 arranging for an intern.

20 3. Provide interns with name badges which will
21 allow them access to the floor of either house when
22 required to be present by the legislators for whom
23 they work.

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

26 Rule 19

27 Administrative Rules Review Committee Bills
28 and Rule Referrals

29 A bill which relates to departmental rules and
30 which is approved by the administrative rules review

1 committee by a majority of the committee's members of
2 each house is eligible for introduction in either
3 house at any time and must be referred to a standing
4 committee, which must take action on the bill within
5 three weeks of referral, except bills referred to
6 appropriations and ways and means committees.

7 If, on or after July 1, 1999, the administrative
8 rules review committee delays the effective date of a
9 rule until the adjournment of the next regular session
10 of the general assembly and the speaker of the house
11 or the president of the senate refers the rule to a
12 standing committee, the standing committee shall
13 review the rule within twenty-one days of the referral
14 and shall take formal committee action by sponsoring a
15 joint resolution to disapprove the rule, by proposing
16 legislation relating to the rule, or by refusing to
17 propose a joint resolution or legislation concerning
18 the rule. The standing committee shall inform the
19 administrative rules review committee of the committee
20 action taken concerning the rule.

21

Rule 20

22 Time of Committee Passage and Consideration of Bills

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

1 acts, administrative rules review committee bills,
2 bills cosponsored by majority and minority floor
3 leaders of one house, bills in conference committee,
4 and companion bills sponsored by the majority floor
5 leaders of both houses after consultation with the
6 respective minority floor leaders. For the purposes
7 of this rule, a joint resolution is considered as a
8 bill. To be considered an appropriations or ways and
9 means bill for the purposes of this rule, the
10 appropriations committee or the ways and means
11 committee must either be the sponsor of the bill or
12 the committee of first referral in the originating
13 house.

14 2. To be placed on the calendar in the house of
15 origin, a bill must be first reported out of ~~the a~~
16 standing committee of first referral by Friday of the
17 ~~9th~~ 10th week of the first session and the ~~7th~~ 8th
18 week of the second session. To be placed on the
19 calendar in the other house, a bill must be first
20 reported out of ~~the a~~ standing committee of first
21 ~~referral~~ by Friday of the ~~12th~~ 13th week of the first
22 session and the ~~10th~~ 11th week of the second session.

23 3. During the ~~10th~~ 11th week of the first session
24 and the ~~8th~~ 9th week of the second session, each house
25 shall consider only bills originating in that house
26 and unfinished business. During the ~~13th~~ 14th week of
27 the first session and the ~~11th~~ 12th week of the second
28 session, each house shall consider only bills
29 originating in the other house and unfinished
30 business. Beginning with the ~~14th~~ 15th week of the

1 first session and the ~~12th~~ 13th week of the second
2 session, each house shall consider only bills passed
3 by both houses, bills exempt from subsection 2, and
4 unfinished business.

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

12 Rule 21

13 Resolutions

14 1. A "concurrent resolution" is a resolution to be
15 adopted by both houses of the general assembly which
16 expresses the sentiment of the general assembly or
17 deals with temporary legislative matters. It may
18 authorize the expenditure, for any legislative
19 purpose, of funds appropriated to the general
20 assembly. A concurrent resolution is not limited to,
21 but may provide for a joint convention of the general
22 assembly, adjournment or recess of the general
23 assembly, or requests to a state agency or to the
24 general assembly or a committee. A concurrent
25 resolution requires the affirmative vote of a majority
26 of the senators or representatives present and voting
27 unless otherwise specified by statute. A concurrent
28 resolution does not require the governor's approval
29 unless otherwise specified by statute. A concurrent
30 resolution shall be filed with the secretary of the

1 senate or the chief clerk of the house. A concurrent
2 resolution shall be printed in the bound journal after
3 its adoption.

4 2. A "joint resolution" is a resolution which
5 requires for approval the affirmative vote of a
6 constitutional majority of each house of the general
7 assembly. A joint resolution which appropriates funds
8 or enacts temporary laws must contain the clause "Be
9 It Enacted by the General Assembly of the State of
10 Iowa:", is equivalent to a bill, and must be
11 transmitted to the governor for his approval. A joint
12 resolution which proposes amendments to the
13 Constitution of the State of Iowa, ratifies amendments
14 to the Constitution of the United States, proposes a
15 request to Congress or an agency of the government of
16 the United States of America, proposes to Congress an
17 amendment to the Constitution of the United States of
18 America, nullifies an administrative rule, or creates
19 a special commission or committee must contain the
20 clause "Be It Resolved by the General Assembly of the
21 State of Iowa:" and shall not be transmitted to the
22 governor. A joint resolution shall not amend a
23 statute in the Code of Iowa.

24 Rule 22

25 Nullification Resolutions

26 A "nullification resolution" is a joint resolution
27 which nullifies all of an administrative rule, or a
28 severable item of an administrative rule adopted
29 pursuant to chapter 17A of the Code. A nullification
30 resolution shall not amend an administrative rule by

1 adding language or by inserting new language in lieu
2 of existing language.

3 A nullification resolution is debatable, but cannot
4 be amended on the floor of the house or senate. The
5 effective date of a nullification resolution shall be
6 stated in the resolution. Any motions filed to
7 reconsider adoption of a nullification resolution must
8 be disposed of within one legislative day of the
9 filing.

10 Rule 23

11 Consideration of Vetoes

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

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

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

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

24 2. Vetoed bills and appropriations items shall
25 automatically be placed on the veto calendar upon
26 receipt. Vetoed bills and appropriations items shall
27 not be referred to committee.

28 3. Upon first publication in the veto calendar,
29 the senate majority leader or the house majority
30 leader may call up a vetoed bill or appropriations

1 item at any time.

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

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

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

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

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

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

23 Rule 24

24 Special Rules Regarding Redistricting for 2001

25 1. If, pursuant to chapter 42, either the senate
26 or the house rejects a redistricting plan submitted by
27 the legislative service bureau, the house rejecting
28 the plan shall convey the reasons for the rejection of
29 the plan to the legislative service bureau by
30 resolution.

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

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16

HOUSE CONCURRENT RESOLUTION 7

17

H-1040

18

1 Amend House Concurrent Resolution 7 as follows:

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2 1. Page 16, line 1, by inserting after the word

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3 "bills," the following: "bills sponsored by standing

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4 committees in response to a referral from the

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5 president of the senate or the speaker of the house of

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6 representatives relating to an administrative rule

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7 whose effective date has been delayed until the

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8 adjournment of the next regular session of the general

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9 assembly by the administrative rules review

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10 committee,".

By CARROLL of Poweshiek

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Adapted
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