

Loan Copy No. 1

R E P O R T
of the
LEGISLATIVE ADVISORY COMMITTEE
ON THE STUDY OF
LEGISLATIVE PROCEDURES

Submitted To The 59th General Assembly
December, 1960

TO: MEMBERS OF THE GENERAL ASSEMBLY

A request that the Legislative Research Bureau study the legislative rules and procedures in Iowa and other states was made to the Legislative Research Committee by Senators Gilmour, Schroeder, O'Malley, Long and Lynes. The Legislative Research Committee authorized a joint advisory committee of legislators to assist the Research Bureau on the study. The Research Committee designates the standing committees of each house from which the members of advisory committees shall be chosen.

The chairmen of the designated committees are by law members of the advisory committee, and they designate two members from their standing committee to serve on the advisory committee. The seventh member is designated by the Legislative Research Committee from its committee.

We, the Committee on the Study of Legislative Procedures, have served in an advisory capacity on this study the past interim. The study was undertaken with the view of making better use of the time available to legislators during the session. We all realize the problems and policy decisions that confront the legislature have increased tremendously the last 25 years, and the workload of legislators has increased correspondingly. With this in mind, we respectfully submit to the members of the 59th General Assembly some recommendations for your consideration which the Committee feels will

help the legislature and legislators make better use of the time available during the session.

I. Sifting Committees and Other Methods of Handling the End-of-Session Log Jam.

We recommend that the 59th General Assembly give consideration to adopting the following procedures near the end of session to help alleviate the log jam.

1. Specified Time Limit House consider only House bills
Near End of Session: and Senate consider only Senate bills.
2. Specified Time Limit House consider only Senate bills
Near End of Session: and Senate consider only House bills.
3. Final two or three Conference committees to work out
Days: problems for final legislation.

II. Standing Committees.

We urge the presiding officer or whoever appoints the standing committees to have these committees appointed within the first few days of the legislative session.

We recommend that the Senate and House consider the advisability of using a committee or committees to appoint standing committees and conference committees. The committee would be composed of a member from each congressional district chosen by each party in caucus. The Lieutenant-Governor and Speaker of the House would act as chairman of this committee in each house and would be the representative of the congressional district for their party from which they are elected. The majority party would appoint the committee chairmen of standing committees in each House. The committee or committees would do as much work as possible before the session convenes.

III. Legislative Fiscal Analysis and Review.

We recommend that the 59th General Assembly consider that a legislative fiscal advisor be employed to work with the appropriate committees of the legislature both during and between sessions.

We recommend that the 59th General Assembly give consideration to revising the law providing for the appointment of the members of the Budget and Financial Control Committee to provide that members of this interim committee be elected by ballot by the members of each house.

IV. Code Revision.

We recommend that the 59th General Assembly give consideration to establishing a temporary committee of legislators to work during the interim on code revision and use the Code Editor's and Legislative Research Bureau's offices for technical assistance.

V. Bill Drafting

We recommend that the Legislative Research Bureau continue to provide full-time drafting services for legislators and legislative committees and that a full-time lawyer be employed by the Research Bureau to give assistance to the temporary committee of legislators on code revision and be in charge of the bill drafting work of the Bureau.

VI. Pre-Filing of Bills.

We recommend that departmental bills and code revision bills be pre-filed with the Chief Clerk's Office beginning November 15th preceding the session. We further recommend the early filing of legalizing acts and the prepayment of all costs.

VII. Election Contests.

We recommend the House and Senate adopt the following in the Rules of each house.

Example Rule for the House

The Speaker shall appoint on the first day of the session an election contest committee composed of five members, three from the majority party and two from the minority party. The election contest committee shall issue subpoenas, examine witnesses, hear testimony in all election contests, unless otherwise provided for by the House. The committee may employ legal counsel to assist in its work. The incumbent and contestant may employ their own legal counsel. The costs of such contests shall be paid by the state, except when the contestant in such contest loses, he then shall be required to pay his own legal

counsel fees. The committee shall at all times have the discretion to rule on the reasonableness of attorney fees and other costs in any contest. The committee shall file its report for the consideration of the House within 30 calendar days after the convening of the General Assembly.

VIII. We recommend that the Legislative Research Bureau, the Chief Clerk of the House, and the Secretary of the Senate analyze the journals of both houses with the view in mind of eliminating all unnecessary content which could result in a savings in printing costs. Such suggestions should be presented to the standing committees on Printing of both houses during the session.

Respectfully submitted,

Representative J. Henry Lucken, Chairman
Senator C. Joseph Coleman
Senator C. Edwin Gilmour
Senator J. Kendall Lynes
Senator David O. Shaff
Representative John L. Mowry
Representative Gail A. Rusk