



# Journal of the American Society of Legislative Clerks and Secretaries

Volume 28

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# Journal of the American Society of Legislative Clerks and Secretaries

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## INFORMATION FOR AUTHORS

The editors of the *Journal of the American Society of Legislative Clerks and Secretaries* welcomes manuscripts which would be of interest to our members and legislative staff, including topics such as parliamentary procedures, precedent, management, and technology. Articles must be of a general interest to the overall membership.

Contributions will be accepted for consideration from members of the American Society of Legislative Clerks and Secretaries, members of other National Conference of State Legislatures staff sections, and professionals in related fields.

All articles submitted for consideration will undergo a review process. When the Editorial Board has reviewed a manuscript, the author(s) will be notified of acceptance, rejection or need for revision of work.

## STYLE AND FORMAT

Articles should follow a format consistent with professional work, whether it is in the style of the Chicago Manual, the MLA, or APA. Articles should be submitted in MS Word, single spaced with normal margins.

All references should be numbered as footnotes in the order in which they are cited within the text. Accuracy of the content and correct citation is expected of the author. Specialized jargon should be avoided as readers will skip material they

do not understand. Charts or graphics which may assist readers in better understanding the article's content are encouraged for inclusion.

## SUBMISSION OF ARTICLES

Articles for the 2024 Journal should be submitted electronically, not later than September 1, to the Chair:

Heshani Wijemanne  
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Inquiries from readers and potential authors are encouraged. You may contact the Chair by telephone at (916) 651-4171 or by email at Heshani.Wijemanne@sen.ca.gov.

Letters to the editor are welcomed and may be published at the conclusion of the journal to provide a forum for discussion.



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## From the Editors

We hope that you enjoy this year's selection of articles for the Professional Journal.

We want to thank the writers for submitting such great pieces for publication this year. We are pleased to continue our regularly occurring section, "*Recent Developments in the Law of Lawmaking*," in order to provide our Society with the details of relevant case law. This year, we are also excited to include a procedural piece on the Committee of the Whole process in Kansas. As a Society, it is important to learn more about the legislative procedures in other houses.

Finally, in honor of the 80<sup>th</sup> anniversary of the American Society of Legislative Clerks and Secretaries, we thought it appropriate to republish Edward A. Burdick's Summer 2000 Professional Journal article, "*A History of the American Society of Legislative Clerks and Secretaries*." We ask that you please read our Editors' Note prior to reading Mr. Burdick's article – it will give you a good frame of reference as you begin reading the article. As stated below, we are fortunate that Mr. Burdick agreed to memorialize his research in writing, so new members will always have the opportunity to learn about the Society's origination and background, while more seasoned members may be reminded of its history. This article is a very good example of the written word standing the test of time.

We hope you find each of these pieces informational, interesting, and helpful. It has been a privilege to serve on the 2022-2023 committee and to publish Volume 28 of the Professional Journal - we hope you enjoy reading it!

Sincerely,

The Editors



## **Recent Developments in the Law of Lawmaking**

*John E. Treadwell*

*Chief Clerk of the Alabama House of Representatives*

### **I. League of Women Voters of Honolulu & Common Cause v. State**, 499 P.3d 382 (Haw. 2021)

Consistent with many other state constitutions, the Hawai'i Constitution states that no bill shall become a law unless it has three readings in each house on separate days. A Hawai'i Senate bill requiring the reporting of annual recidivism statistics was amended in the House to delete the contents of the bill in their entirety and include provisions providing for hurricane shelter space in state buildings. Thereafter, the bill was enacted and signed into law. Plaintiffs challenged the new law arguing that it did not meet the three-readings requirement under Article III, Section 15 of the Hawai'i Constitution because the hurricane shelter version of the bill did not receive three readings in each house. The Hawai'i Supreme Court held that under the plain language of the Hawai'i Constitution, three readings must begin anew after a non-germane amendment changes the purpose of the bill so that it is no longer related to the original bill as introduced.

Hawai'i Senate Bill No. 2858, "A Bill for an Act Relating to Public Safety," was introduced in 2018 to require the Hawai'i Department of Public Safety to submit an annual report tracking certain recidivism rates. With minor amendments, the bill was read three times in the Senate and passed. Subsequently, it

received its first reading in the House and then was amended in the House Committee on Public Safety. The committee amendment gutted the bill and inserted the substantive provisions of another bill requiring that certain state buildings include hurricane shelter space. It received its second and third readings in the House and was transmitted to the Senate. The Senate disagreed with the House amendment, and the final conference committee recommendation was to delete the hurricane shelter space requirement and instead provide that the state must consider hurricane resistant criteria when designing new public schools. The conference committee recommendation was adopted by both houses, and the Governor signed SB 2858 into law as Act 84.

The League of Women Voters of Honolulu & Common Cause ("plaintiffs") challenged the enactment of Act 84 in circuit court on the grounds that: (1) the title of S.B. 2858 did not satisfy the subject-in-title requirements of the Hawai'i Constitution; and (2) the hurricane shelter version of the bill did not have the required three readings in the Senate as required by Article III, Section 15 of the Hawai'i Constitution. Citing deference to the Hawai'i Legislature's own rules of procedure and Sections 617 and 722 of Mason's Manual of Legislative Procedure, the circuit court held that:

. . .the procedure of the legislature is such that if a replaced and substituted bill is adopted, then the legislature is not required to conduct three more readings because they have already had the three readings in each House and that suffices to meet the requirements of the constitutional mandate.

League of Women Voters of Honolulu & Common Cause v. State, 499 P.3d at 388. The circuit court thus concluded that Act 84 was constitutional and granted summary judgment in favor of the State.

The plaintiffs appealed and asked the Hawai'i Supreme Court to decide whether Section 15 of the Hawai'i Constitution requires three readings after a non-germane amendment fundamentally changes the purpose of a bill. After an initial determination that the plaintiffs had sufficient standing to challenge the constitutionality of Act 84 and a determination that the constitutionality of the legislative procedure at issue was indeed justiciable, the court turned to an analysis of whether Act 84 did comply with the three-readings requirement.

Article III, Section 15 of the Hawai'i Constitution expressly provides that “[n]o bill shall become law unless it shall pass three readings in each house on separate days.” Id. at 394. In an extensive examination of the legislative history of Section 15, the court noted that the purpose of the three-readings requirement was: (1) to afford an “opportunity for full debate in the open before committees and in each House”; (2) to “prevent hasty and ill-considered legislation, surprise or fraud, and to inform the legislators. . . of the contents of the bill”; and (3) to provide public notice of proposed legislation and an opportunity for

comment. Id. at 395-396 (citing Mason’s Manual, § 720, ¶ 2). In recognition of these purposes, the court concluded that a bill “must bear some resemblance to the previous versions read” in order to satisfy the three-readings requirement. Id. at 399.

Next, the court turned to a germaneness analysis. Although the Hawai'i Legislature’s own rules of procedure provide that the three readings need not restart after an amendment or substitution, the court reasoned that application of a “germaneness standard to the three readings requirement best effectuates the plain meaning and purpose of the constitutional mandate.” Id. at 400. Further, the court found that application of the germaneness standard is an established and enforced standard that courts in Hawai'i have consistently applied to single-subject and subject-in-title requirements. Id. Application of the germaneness requirement to Section 15 also reinforces the premise that legislators are entitled to notice and the public is entitled to an opportunity to comment. Id. at 401.

The court identified numerous other jurisdictions applying a germaneness standard to constitutional three-readings requirements and pointed out that the state ignored numerous provisions in Mason’s Manual of Legislative Procedure, which the Hawai'i Legislature had adopted as an authority, that explicitly require that amendments be germane to a bill’s original purpose. While Section 617, Paragraph 1 of Mason’s Manual does not appear to require three readings to recommence when bills are substituted and the original purpose changes, the court emphasized that Section 616 of Mason’s Manual provides that there is no limit to the number of amendments proposed to a bill “as long as the amendments are germane to the original purpose of the bill.” Id. at 404. Additionally, the court highlighted the portion of Section 617 of Mason’s Manual which

provides that a committee may recommend that every clause in a bill be changed and that an entirely new matter be inserted, provided “the new matter is relevant to the title and the subject of the original bill.” Id.

Based on this analysis, the court concluded that Section 15 “requires that the three readings begin anew after a non-germane amendment changes the object or subject of the bill so that it is no longer related to the original bill as introduced.” Id. at 405. Applying this rationale to the facts surrounding the enactment of SB 2858, the court reasoned that the original recidivism bill received all three readings in the Senate but only one in the House. After the amendment transforming the bill into hurricane shelter space legislation was adopted in the House committee, the bill only had two readings in the House. Finding no “common tie” or “close alliance” between the recidivism reporting bill and the hurricane shelter bill, the court found that the House made a non-germane amendment to SB 2858, resulting in a violation of Section 15 that was “plain, clear, manifest, and unmistakable.” Id. at 406. The summary judgment order granted by the circuit court in favor of the State was vacated and the case was remanded to the circuit court with instructions to grant the plaintiffs’ Motion for Summary Judgment.

## **II. Markwell v. Cooke, 482 P.2d 422 (Colo. 2021)**

The Colorado Constitution provides that every bill shall be read at length on two different days in each house, unless the reading at length is dispensed with upon unanimous consent. In 2019, upon final passage of a House bill in the Colorado Senate, a senator requested that the bill be read at length. The bill was uploaded to multiple computers where it was read by

automated software simultaneously at the maximum speed of 650 words per minute. Senators who objected to the method of the reading filed a complaint for injunctive relief and declaratory judgment asserting that the method of reading resulted in unintelligible sounds that did not comport with the reading requirement under the Colorado Constitution. Although the Colorado Supreme Court agreed that the unintelligible reading did not satisfy the constitutional reading requirement, it also concluded that the judiciary may not direct the legislature as to the method of complying with the requirement.

House Bill 1172, a 2,023-page recodification bill, passed the Colorado House of Representatives and was in posture for its second reading in the Senate when a senator requested that the bill be read at length. Two Senate staffers began reading the bill simultaneously “at a quick, but intelligible pace.” Markwell v. Cooke, 482 P.2d at 424. Three and a half hours later, the Senate Secretary instructed the staffers to stop reading HB 1172 and uploaded it to four to six computers so that automated software could simultaneously read the bill aloud at a maximum rate of 650 words per minute. Each computer read a different part of the bill, which resulted in a “babel of sounds.” Id. Although two senators objected to this procedure and requested that the speed of the computer readings be slowed down, the reading method was not altered. The computer readings continued for approximately four hours, until the reading of the bill in its entirety was completed.

The following morning, three senators (“respondents”) filed a verified complaint for injunctive relief and declaratory judgment against the Senate President and Secretary of the Senate (“petitioners”) in the Denver District Court. The court granted a temporary restraining order preventing the petitioners

from, in the absence of unanimous consent, passing legislation without reading it out loud in an intelligible manner on two consecutive days. Subsequently, the court granted a preliminary injunction after finding that “using multiple computers to read simultaneously different portions of a bill . . . at 650 words per minute [was] not within legitimate limits.” *Id.* at 425. The district court also found that it could not “discern a single word” from the audio recording of the legislative proceeding. *Id.* The preliminary injunction directed the Senate to comply with the reading requirement by “employ[ing] a methodology that is designed to read legislation in an intelligible and comprehensive manner, and at an understandable speed.” *Id.* HB 1172 was eventually passed and signed into law by the Governor in compliance with the directive from the district court. The petitioners ultimately filed a joint motion seeking direct review by the Colorado Supreme Court.

After granting the request for direct review, the Colorado Supreme Court examined whether the unintelligible computer sounds complied with the reading requirement in the Colorado Constitution. The court first examined whether the issue of compliance by the legislature with the reading requirement requires constitutional interpretation and is subject to judicial review. In its conclusion that the issue at hand was a justiciable issue, the court noted that “[u]nlike a policy decision or a value judgment, constitutional interpretation is not an issue ‘best left for resolution by the other branches of government.’” *Id.* at 428. Thereafter, the court examined the law and facts at issue regarding the reading of HB 1172.

Article V, Section 22 of the Colorado Constitution provides that “[e]very bill shall

be read by title when introduced, and at length on two different days in each house; provided, however, any reading at length may be dispensed with upon unanimous consent of the members present.” *Id.* at 429. The court examined several definitions of the term “read” as posited by the petitioners and the respondents in their pleadings and determined that the method employed by the Senate did not satisfy the conventional definitions of “read.” For example, the court concluded that the words of the bill were “certainly not uttered or pronounced in their proper order. . . or were the sounds that customarily accompany those words ever uttered.” *Id.* In fact, the court asserted that the computers produced a “noisy mishmash.” *Id.* The court further noted that:

There was no way to interpret, explain, know fully, comprehend, learn, discover, or understand the text of HB 1172 by listening to the noise made by the computers. And that noise could not have been fairly characterized as telling, declaring, reciting, perusing, going over words and reciting, or “tak[ing] in the sense of language.”

*Id.* at 430. While recognizing that there are different ways to describe the sounds produced by the computers, the court opined that “reading” could not be one of those descriptors. *Id.*

Next, the court examined the purpose of the reading requirement, which was to, “afford protection from hasty legislation” and ultimately to preserve the integrity of the bill-enactment process. *Id.* The court reached a



determination that accepting the “jumbled computer sounds as ‘read[ing]’ under article V, section 22 would directly undermine the purpose of the reading requirement.” *Id.* Based on these findings, the court concluded that the unintelligible sounds from the computers did not fulfill the reading requirement and was in violation of the Colorado Constitution.

Although the court agreed with the district court that the computer reading did violate the constitutional reading requirement, it did not agree with the district court’s prescription of *how* the legislature must comply with the reading requirement. The district court order directed the Secretary of the Senate, upon a proper objection prompting a reading at length, to employ “a methodology that is designed to read legislation in an intelligible and comprehensive manner, and at an understandable speed.” *Id.* at 431. The court recognized that the separation of powers doctrine limits the judiciary’s inquiry to whether the legislature complied with a constitutional mandate. *Id.* It further reasoned that the judiciary is prohibited from instructing a coequal branch of government as to how to comply with the constitutional reading requirement in the future. The court concluded that it disapproved of the portion of the district court’s order to the extent it “circumscribed the form or manner by which the legislature may comply with [the reading requirement].” *Id.* The decision of the Denver District Court was affirmed in part and reversed in part.



## **The Role of the Committee of the Whole in Kansas**

*Susan W. Kannarr, J.D.*

*Chief Clerk of the Kansas House of Representatives*

### **Introduction**

In the United States, the process by which legislatures introduce and consider bills varies significantly. In the Kansas House of Representatives, the standard process for chamber consideration involves debate by the body meeting as the Committee of the Whole prior to final approval by the House. While not entirely unique, this method of consideration is unusual among state legislative chambers. This article aims to describe the use of the Committee of the Whole process within the legislative process of the Kansas House of Representatives, providing a simplified explanation that omits many of the complexities involved, to increase clarity.

### **Authorities Governing the Process**

As with all legislatures, the consideration process is governed by multiple authorities in varying orders of precedence. In the Kansas House of Representatives, the adopted rules are given precedence above the adopted parliamentary authority, Mason's Manual of Legislative Procedure, and are secondary to Constitutional and Statutory authorities<sup>1</sup>. This article focuses on the adopted rules as other authorities are either of lower precedence or do not impact the specific processes discussed.

The process for passing laws in Kansas is subject to limited constitutional and statutory provisions. Article 2 of the Kansas Constitution outlines the basic requirements for the process, including vote requirements for passage, the approval and veto process, requirements for bill titles and enacting clauses, and the need for publication before laws become effective. However, the Constitution does not prescribe methods for consideration, nor does it require bills or titles to be read. This article will not cover statutory provisions, as they do not address the consideration processes described.

### **Brief History**

The Committee of the Whole process has been a part of the House Rules for over a century. The rules regarding the reading of bills changed during the mid-1970s when significant changes were made to the legislative institution in Kansas. This included a shift to annual legislative sessions. In the Rules of the House for the 1973-1974 biennium, the First Reading (Introduction) required reading by title. The Second Reading, on the day after introduction and prior to referral, only required reading by title, subject

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<sup>1</sup> House Rule 2312 of the *Rules of the Kansas House of Representatives; 2023-2024 Biennium*, published online at [www.kslegislature.org/li/b2023\\_24/chamber/house/rules/](http://www.kslegislature.org/li/b2023_24/chamber/house/rules/). Future

references to current House Rules in this article refer to this publication and will list only the rule number.

to a demand for a full reading by the House. The Third Reading (Final Action) required reading by sections. In the 1975-1976 biennium, the rules were changed to eliminate references to the readings of bills.

The current orders of business for Kansas House are listed in House Rule 104<sup>2</sup>. The chamber meets as the House for all orders of business except for General Orders when it resolves into the Committee of the Whole to consider the items under that order of business. Bills are only required to be read by title when introduced under House Rule 703 and during Final Action under House Rule 2702.

Below is a list of the Orders of Business contained in current House Rules:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Reports of select committees.
- (3) Receipt of messages from the Governor.
- (4) Communications from state officers.
- (5) Messages from the Senate.
- (6) Introduction and notice of original motions and house resolutions.
- (7) Consideration of motions and house resolutions offered on a previous day.
- (8) The unfinished business before the House at the time of adjournment on the previous day.
- (9) Consent calendar.
- (10) Final Action on bills and concurrent resolutions.
- (11) Bills under consideration to concur and nonconcur.
- (12) **General Orders.**
- (13) Reports of standing committees.

**Bill Consideration Process**

While this article primarily discusses the consideration process in the Kansas House of

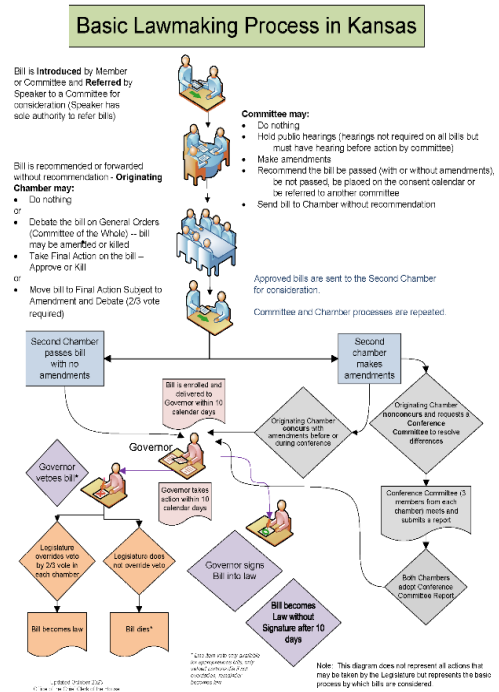


Figure 1

Representatives, it may be helpful to understand how this procedure fits into the overall legislative process in Kansas. Figure 1 provides a simplified visual representation of the process. As illustrated in the flow chart, both the House and Senate introduce and act on bills. At the end of the process, the chambers must agree on identical language for presentation to the Governor for action.

The bill consideration process in the Kansas House can take a variety of paths. This article will focus on the most common one, which involves consideration by the body meeting in the Committee of the Whole. The process outlined below also follows the standard path for bills brought up for consideration under that order of business.

<sup>2</sup> Rules of the Kansas House of Representatives; 2023-2024 Biennium, published online at: [http://www.kslegislature.org/li/b2023\\_24/chamber/house/rules/](http://www.kslegislature.org/li/b2023_24/chamber/house/rules/)

As Amended by Senate Committee  
As Further Amended by House Committee  
As Amended by House Committee

Session of 2023

**HOUSE BILL No. 2024**  
By Joint Committee on Child Welfare System Oversight  
1-12

1 AN ACT concerning children and minors; relating to the newborn infant  
2 protection act; allowing the surrender of physical custody of an infant  
3 to an infant-refuge-basinet; a newborn safety device; requiring  
4 inquiries and reporting of Indian child status; adding the  
5 requirement of great bodily harm to the crime of child  
6 abandonment to qualify for immunity; amending K.S.A. 38-2203  
7 and 38-2282 and K.S.A. 2022 Supp. 21-5605 and repealing the  
8 existing sections.  
9

10 Be it enacted by the Legislature of the State of Kansas:  
11 [Section 1. K.S.A. 2022 Supp. 21-5605 is hereby amended to read  
12 as follows: 21-5605. (a) Abandonment of a child is leaving a child  
13 under the age of 16 years, in a place where such child may suffer  
14 because of neglect by the parent, guardian or other person to whom  
15 the care and custody of such child shall have been entrusted, when  
16 done with intent to abandon such child.  
17 (b) Aggravated abandonment of a child is abandonment of a  
18 child, as defined in subsection (a), which results in great bodily harm.  
19 (c) (1) Abandonment of a child is a severity level 8, person felony.  
20 (2) Aggravated abandonment of a child is a severity level 5,  
21 person felony.  
22 (d) No parent or other person having lawful custody of an infant  
23 shall be prosecuted for a violation of subsection (a), if such parent or  
24 person surrenders custody of an infant in the manner provided by  
25 K.S.A. 38-2282, and amendments thereto, and if such infant has not  
26 suffered great bodily harm.  
27 (e) A person who violates the provisions of this section may also  
28 be prosecuted for, convicted of, and punished for any form of battery  
29 or homicide.]  
30 [Section 2. Sec. 2. K.S.A. 38-2203 is hereby amended to read as  
31 follows: 38-2203. (a) Proceedings concerning any child who may be a  
32 child in need of care shall be governed by this code, except in those

Figure 2

As a part of the process, bills are introduced, referred to a committee, recommended by that committee and placed on General Orders. Following the committee action, a committee report, containing the recommendation and any amendments, is drafted by the Revisor of Statutes committee staff. The report must be submitted to the chamber by the Chairperson or Vice-Chairperson within two legislative days following the action of the committee to report the bill. The committee report is read under the order of business Reports of Standing Committees and the bill is reprinted with any recommended amendments. Bills reported out of committee favorably or without recommendation are put on General Orders. These bills are published in the House Calendar with the bill number, bill title, committee name and committee recommendation in an order designated by the Speaker and Majority Leader.

Throughout this process, bills are reprinted each time they are amended except for the conference committee process. All amendments are shown in markup text that reflects the stage of consideration they were

<sup>3</sup> House Rule 1502

amended (See Figure 2 for an example). The markup text is cumulative so that the most recent version shows all changes, not just the most recent. In the example, the bill was amended by a House Standing Committee, debated on General Orders, sent back to the committee for further consideration, re-debated on General Orders, approved on Final Action and sent to the Senate for consideration where it was amended by a Senate Standing Committee.

### General Orders

Once a bill appears on General Orders, the Majority Leader, in consultation with the Speaker, may place it above the debate line in the House Calendar. The list of bills to be debated must be posted by 4:00 p.m. the day before debate or announced prior to adjournment if the daily session extends past that time<sup>3</sup>. The House Rules only require that a copy of the list be posted outside the House

HOUSE CALENDAR	
<b>General Orders</b>	
<p>2436— HR 2436, AN ACT concerning environmental, social and governance criteria involving public contracts and agreements; amending the Kansas public investments and contracts protection act; prohibiting the state or a political subdivision from giving preferential treatment to or discriminating against companies based on environmental, social and governance criteria in procuring or setting contracts; requiring disclosures of the Kansas public employee retirement system trust's safety in the financial interest of participants and beneficiaries of the system; restricting state agencies from adopting environmental, social and governance criteria or requiring any person or business to operate in accordance with such criteria; providing for enforcement of such act by the attorney general; indemnifying the Kansas public employee retirement system with respect to actions taken in compliance with such act; amending K.S.A. 2022 Supp. 74-4051 and repealing the existing section.</p>	<p>Committee on Appropriations (Financial Institutions and Personnel) (The Finance Authority)</p>
<p>2666— HB 2666, AN ACT concerning property taxation; relating to motor vehicles; providing for a property tax exemption of used business vehicles for firefighters and emergency medical service providers; amending K.S.A. 2022 Supp. 75-3131 and repealing the existing section.</p>	<p>Committee on Taxation (Finance) (The Finance Authority)</p>
<p>2132— HB 2132, AN ACT concerning postsecondary education; relating to the Kansas promise scholarship act; expanding the eligible fields of study; establishing maximum scholarship payment for certain private postsecondary institutions; amending K.S.A. 2022 Supp. 74-32,272, 74-32,273 and 74-32,274 and repealing the existing sections.</p>	<p>Committee on Appropriations (Education) (The Finance Authority)</p>
<p>2641— HB 2641, AN ACT concerning taxation; relating to sales and compensating use tax; providing for a sales tax exemption for a milk for profit corporation operating a community cheese; amending K.S.A. 2022 Supp. 75-3652 and repealing the existing section.</p>	<p>Committee on Taxation (Finance)</p>

Figure 3

Chamber. In practice, the Majority Leader's office distributes a list of all bills to be considered through an e-mail distribution list. General Orders is published in the House Calendar in the designated order with a line designating the end of debate (Shown in Figure 3). In the example, the two bills above

the line will be subject to debate by the Committee of the Whole for the given day. There is no limit on the number of bills that can be scheduled for debate under House Rules. The limit is guided by time available, consideration deadlines and leadership priorities.

There is no requirement that a bill on General Orders must ever be considered by the body. A bill may remain under that order of business until the end of the biennium unless stricken from the calendar by the passage of consideration deadlines or a successful motion by the Majority Leader<sup>4</sup>. Members may make a motion under House Rule 1503 to change the sequence of General Orders and force debate on a bill. This motion requires the affirmative vote of 70 of the 125 members and is very rarely successful.

Actions by the Committee of the Whole during General Orders, other than certain motions that can kill the bill, are recommendations to the House and are not final actions of the chamber. The purpose of utilizing the Committee of the Whole process is to allow all members of the body an opportunity to debate and amend bills as equals with very few options to limit debate. While meeting as the Committee of the Whole, the Speaker and Speaker Pro Tem participate as members of the committee and not in their roles as Constitutional officers.

### **Rules Governing Committee of the Whole Debate**

The procedure for meeting as the Committee of the Whole is covered in Articles 15, 19 and 21 of the Rules of the House. In accordance with House Rule 1907, all House Rules apply during debate except Rule 2508 allowing for a Call of the House. The rule further states that the Previous Question and motion to Lay on

the Table shall not apply. The Committee of the Whole process is intended to allow for full debate of bills and those motions that would limit debate are not in order. There are no time limits on members speaking during debate. Bills on General Orders must be considered in the order listed in the House Calendar subject to motions by the Majority Leader to pass over a bill.

In accordance with House Rule 1704(b), Representatives are only allowed to speak twice to the same question on the same day without leave of the body unless they are the bill carrier. In the Committee of the Whole, amendments to bills are considered separate questions for purposes of this rule so members could speak twice to the bill and on each amendment.

### **Committee of the Whole Procedure**

When the House reaches the order of business General Orders and there are bills scheduled for debate, the presiding officer recognizes the Majority Leader for a motion to resolve into the Committee of the Whole. A member of the body, selected by the Speaker of the House, is appointed to chair the Committee. The member selected can be any member of the body but is normally from the majority party. The decision of whom to appoint is made before convening the daily session in order to allow for training if needed. If the member will be chairing for the first time or wants a refresher, they will have a short training session with the Chief Clerk.

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<sup>4</sup> House Rule 2307

CHAIRING HOUSE COMMITTEE OF THE WHOLE

**Chair** - "The first/next item of business is **HB 2001**"

**Chair** - "For the purpose of carrying **HB 2001** the Chair recognizes **Representative Sample**"

**Adopt committee report: Yes**

*If amended, the Representative moves adoption of the committee report*

**Chair** - "You have heard the motion. All in favor signify by saying aye, opposed no. The motion passes and the committee report is adopted."

**Chair** - "Please continue." *(Representative discusses bill and stands for questions)*

**Chair** - "Does any member desire to speak to the bill?" *(1st time)*

"Is there further discussion?" *(remaining names)*

**Chair** - "The Chair recognizes **Representative \_\_\_\_\_**"  
*(Read the names from the right side monitor)*

*Continue in this manner until there are no more requests to speak, then:*

---

**Chair** - "If there is no further discussion, **Representative Sample**, you may close."  
*Representative carrying the bill closes and makes a motion*

**Chair** - "You have heard the motion by **Representative Sample** to report **HB 2001** favorably; all those in favor, signify by saying aye; opposed, nay.

The \_\_\_\_\_ appear to have it. The \_\_\_\_\_ do have it. Motion passes or fails"

**DIVISION or ROLL CALL**

**(If a division)** - A division has been called for. The Clerk will open the roll and you may vote. Has every member had an opportunity to vote? The Clerk will close the roll and take the tally. \_\_\_\_\_ having voted in favor and \_\_\_\_\_ against, the motion (passes or fails).

**(If a roll call is demanded)** - "Seeing 15 hands, a roll call is in order. [Pause] Has every member had an opportunity to vote? The clerk will close the roll. Does any member wish to change their vote?"  
**(Explanations are not in order in COW)**

"\_\_\_\_\_ having voted in favor and \_\_\_\_\_ against, the motion (passes or fails). The Clerk will record the vote."

Figure 4

The Kansas House uses a scripting system<sup>5</sup> to facilitate sessions. The system is used by the Speaker and Speaker Pro Tem while meeting as the House but is particularly helpful during Committee of the Whole debate because the Chairperson is not someone who normally presides over the chamber. The system shows a detailed script on a screen at the podium for the presiding officer and is managed by the Reading Clerk. Also on this screen is a list of the business for the day. As each item is reached, a detailed script will appear next to it. The basic script the Chairperson will see is shown in Figure 4. It is updated based on actions in the chamber such as amendments being offered. A second screen shows a seating map of the chamber and the queue of members requesting to speak using buttons at their desks. Members are recognized in order

<sup>5</sup> The scripting program is part of the xmLegislator system designed by International Roll Call and installed in the Kansas House

<sup>6</sup> All members, other than the presiding officer or Chairperson, address the House from a podium at the front of the chamber referred to as the well

based on the timing of pushing the request to speak button at their desk.

Members are assigned to carry bills in the Committee of the Whole by the Majority Leader in consultation with the committee chair. When a bill comes up for consideration, the Chairperson recognizes the bill carrier who proceeds to the well of the House<sup>6</sup>. If the committee recommended amendments to the bill, the carrier must make a motion to adopt the committee report. The committee report contains all amendments recommended by the committee and the entire report is adopted in one motion subject to a simple majority vote. This action represents the Committee of the Whole agreeing to use the committee-amended version of the bill as the basis for debate. In the very unusual event that the committee report is not adopted, consideration reverts to the version of the bill originally referred to the committee. The carrier proceeds to explain the bill and stands for questions. At this point, other members may ask questions of the carrier, make arguments for or against the bill or offer motions. Members debate at the well directly and do not communicate through the Chairperson (See Figure 5)<sup>7</sup>. The most common motions are to amend the bill or to

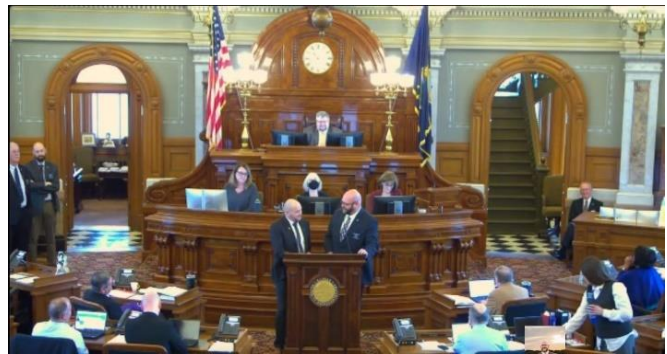


Figure 5

<sup>7</sup> Face to face debate at the well also occurs in other orders of business, not just during Committee of the Whole. In Figure 4, the presiding officer is the Chairperson of the Committee of the Whole and two members are at the well debating a bill.

send the bill back to a committee for further consideration. Motions to kill a bill by striking it from the calendar or striking the enacting clause are in order but are extremely rare.

Motions to amend bills are very common in Committee of the Whole. Article 21 of the House Rules governs the amendment of bills. Amendments are drafted by the Revisor of Statutes Office at the request of a member and delivered to the House floor the day the bill is scheduled for debate. Members may submit a handwritten amendment for consideration, but this practice is highly discouraged due to the risk of errors and the inability to make the amendment available online for the body during debate. Members are required by House Rule 2102 to submit the written amendment to the clerk's desk before making the motion to amend. There is no time requirement, so the submission could be hours or minutes before the amendment is offered. The amendment remains confidential until the member makes the motion to amend on the floor. When the motion is made, clerk staff release it electronically so that it can be accessed by members immediately on an internal website. A limited number of paper copies are also made available. Members offer amendments by requesting to be recognized to speak on the bill and then informing the body that they have an amendment. Debate shifts to the amendment and a secondary request to speak button is used for members to speak to the motion. Amendments must be germane to the underlying bill<sup>8</sup> and challenges to germaneness are a relatively common occurrence.

At the conclusion of debate on a bill, the carrier makes a motion that the bill be recommended favorably for Final Action. A

simple majority vote is needed to recommend the bill. Votes are normally taken by voice vote but a division or roll call vote can be demanded under House Rules 2507 or 2509. If the motion to recommend the bill favorably fails, the bill remains on General Orders with a notation of the motion's failure in the House Calendar. It may be brought up for debate again through the normal process.

When debate on bills above the debate line is concluded, the Majority Leader is recognized for a motion to rise and report<sup>9</sup>. The body is not required to debate all bills listed above the debate line and may rise and report before considering all bills. After the adoption of the Majority Leader's motion, the Committee of the Whole Chairperson leaves the podium and the Speaker or Speaker Pro Tem resumes the chair as presiding officer. The Committee of the Whole report is read by the Reading Clerk and the Committee of the Whole Chairperson is recognized for a motion to adopt the report. The report lists the actions of the Committee of the Whole on bills including whether the bill was amended. These procedural motions normally proceed with voice votes and no opposition. This is true even if the bills were subject to substantial debate or controversy.

The adoption of the Committee of the Whole report to recommend a bill favorably has the effect of moving the bill to the order of business Final Action on Bills and Resolutions, governed by Article 27 of the House Rules. This Final Action normally takes place the following day unless advanced to Emergency Final Action by a vote of 2/3 of members present under House Rule 2311(a)(1). Under House Rule 2702, bills under the order of business Final Action are

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<sup>8</sup> House Rule 2101

<sup>9</sup> House Rule 1908

read by title and voted on without further debate.

### **Summary**

This article is intended to give a quick glimpse into legislative procedure in Kansas with a focus on the use of the Committee of the Whole process. Because it is intended as a high-level description, many details, variations and considerations are excluded. Those who have additional questions are invited to contact the Chief Clerk of the House for more information.



## **A History of the American Society of Legislative Clerks and Secretaries**

*Edward A. Burdick*

*Former Chief Clerk of the Minnesota House of Representatives*

### A Note from the Editors

*In honor of ASLCS' 80<sup>th</sup> Anniversary, the Professional Journal Committee is pleased to reprint Edward A. Burdick's "A History of the American Society of Legislative Clerks and Secretaries," which was originally published in the Summer 2000 Professional Journal, Volume 6, Number 1. Edward A. Burdick served as Chief Clerk of the Minnesota House of Representatives for 38 years. Mr. Burdick was a highly regarded member of this Society and his contributions to our legacy will never be forgotten.*

*As mentioned early in this piece, Mr. Burdick drafted this article for the Professional Journal after having presented on the topic on several prior occasions: first in 1979 at the annual seminar and then again in 1985 and 1988. This piece was originally published 23 years ago, during the Society's 57<sup>th</sup> year. In order to maintain the author's own words, this committee has not edited the original article. Therefore, please note that any and all references to timing or the age of the Society are based on the fact that the article was drafted in 2000.*

*We are fortunate that Mr. Burdick agreed to memorialize his research in writing, so new members will always have the opportunity to learn about the Society's roots and background, while more seasoned members may be reminded of its history. Thank you, Mr. Burdick, for providing our future with a way to look back.*

The American Society of Legislative Clerks and Secretaries, hereafter in this article called ASLCS or the Society, persuaded me over 20 years ago to compose a detailed history of our organization. After months of research and interviews, the history was presented at the annual seminar in Orlando, Florida, in November, 1979.

That essay was condensed and updated on two occasions for later seminars, once in 1985 and again in 1988. Your Professional Journal Committee has invited me to submit this current and abbreviated version for the summer issue.

Our Society has an exciting and eventful past that should be reviewed with enthusiasm and pride. Being aware of our history helps us plan more effectively for the future.

### **Roots Date Back To House of Burgesses**

The Society will be 57 years old in July, 2000. Perhaps we should say that our Society will be 57 years "young" in July, 2000 when you consider that our profession dates back to 1619 when John Twine was Clerk of the House of Burgesses in the Colony of Virginia.

During the 57 years that our organization has functioned we have witnessed a revolution in the state lawmaking process. Allen Morris, former Clerk of the Florida House, wrote several years ago that legislatures have become better equipped, better staffed, better informed, and more able to be independent of the executive branch. He has further written that Clerks and Secretaries as individuals have made significant contributions to this movement and that our Society has educated each one of us to grow, to adjust, and to appreciate these dramatic changes. 1943 was

the beginning of a new period for professional legislative administrators and parliamentarians because, finally, we were united in one self-serving organization with a common purpose, that of improving legislative administration and establishing better lines of communication between the Clerks and Secretaries throughout the nation and its territories.

Quite frankly, our organization, like most organizations, has had some problems over the years. We've had our battles, some good years and some bad years. We've had our disagreements and hard feelings. But finally, we learned to work together and fight our competition and not each other. Today we are strong and united - and we are proud of our accomplishments.

### **Other Organizations Have Impact On Our History**

We need to examine some other organizations that were in existence when our group was formed in 1943. The Council of State Governments was then ten years old, having started at the University of Chicago in 1933.

At that time state legislatures were poorly organized with short sessions and low salaries for members and staff. State lawmaking bodies probably were dominated by lobbyists and special interest groups and no doubt were not a co-equal branch. They were staffed by a highly qualified Chief Clerk or Secretary plus very few administrative assistants. This typical legislative staff was supplemented by people on loan from the executive branch plus numerous part-time patronage people. Clerks and Secretaries then were in a strong position of leadership, were held in high regard by government officials, and had little competition from other legislative staff. As a result, much of the contact between the

Council of State Governments and the legislatures in the 1930s was through Clerks and Secretaries.

Meetings between the states were beginning to emerge, first on a regional basis and then on a national basis, and the Council of State Governments had become the vehicle for solving problems shared by all the states. Because of their early involvement with the Council, Clerks and Secretaries attended many of these meetings and participated in the programs.

Subsequently, Clerks and Secretaries started communicating with each other and visiting each other. They arranged annual get-togethers on their own which were poorly attended because obtaining approval for travel was difficult. Other legislative staff directors were later invited to these meetings. We believe this loosely organized group was called the American Association of Legislative Officers but was in existence for only a short period of time in the late 1930s and early 1940s.

We found evidence of another organization called the Legislative Service Conference which was formed in the 1940s in Chicago. Several Clerks and Secretaries were influential in establishing this new organization, helping draft the bylaws and recruiting members; however, they soon lost interest because the group was dominated by bill drafters, reference agency heads, and fiscal officers. Another new staff position called Director of Legislative Council was beginning to show up on the tables of organization in legislative bodies. These Legislative Council directors later took over the leadership of the Legislative Service Conference, much to the displeasure of many Clerks and Secretaries.

The 1955 meeting of the Legislative Service Conference was held in Miami Beach. That year for the first time legislative members outnumbered legislative staff, and consequently a reorganization took place. The name was changed from the Legislative Service Conference to the National Legislative Conference (NLC) to better accommodate legislators.

Clerks and Secretaries played a major role in organizing the new Conference, making certain that staff people would have a voice and that Clerks and Secretaries would share a piece of the action. Several of our peers were named to the executive committee and chaired or served on other important committees.

#### **NCSL Formed in 1974**

In 1974 in Albuquerque, the National Legislative Conference merged with two competitive legislative groups into the National Conference of State Legislatures (NCSL), the organization with which we are now successfully affiliated. Our Society has retained strong ties with the Council of State Governments on a regional basis and with the National Conference of State Legislatures on a national basis.

Some old timers like to think that Clerks and Secretaries could be called the grandparents of the Conference because of our involvement in the formation of both the old NLC and the new NCSL, and because our Society is 31 years older than the Conference. Again, many of our peers have played a major role in NCSL during its 26-year history and are enthusiastically supportive of its mission.

#### **Secretary of California Senate First ASLCS President**

As I mentioned earlier, our group, the American Society of Legislative Clerks and Secretaries, was founded in 1943. Joseph A. Beek, Secretary of the California Senate, was elected as our first president. He held that office for 25 consecutive years.

You have probably heard that the American Society of Legislative Clerks and Secretaries was mainly a social organization in the early part of its history, but please don't conclude that fun-loving was its only interest. It served useful purposes that should be reported. For one thing, it provided the president, Mr. Beek, with a podium for 25 years to remind Clerks and Secretaries of the importance of their contributions to state government. He challenged them to justify their positions of trust. He warned them as far back as 1943 that their profession would have competition from other staff who would fill newly created positions. He probably had in mind Service Bureau Directors, Legislative Council Directors, leadership staff, and House or Senate administrators. He inspired Clerks and Secretaries to become proficient in their work. He told them to modernize their procedures or someone would replace them who would modernize. He advised them to know more about rules and parliamentary procedure than other staff people. You might say that because of these inspirational meetings, our organization for many years was also an evangelistic society. The gospel message was for Clerks and Secretaries to do a better job.

But it was more than a social society and an evangelistic society. It was also a protective society. I mentioned earlier that our group protected the rights and privileges of Clerks and Secretaries in our dealings with other organizations with which we had an affiliation.

The American Society of Legislative Clerks and Secretaries was involved in the successful fight to preserve a place for staff in the formation of the old National Legislative Conference in 1955. You should also know that it was involved to a much greater extent in the fight to protect staff when the merger took place in Albuquerque in 1974 with the formation of the new National Conference of State Legislatures.

### **Clerks and Secretaries Had Difficulties in 1960s**

In all fairness I must report that our organization and individual Clerks and Secretaries were having difficulties in the 1960s. We were not responding to the competition from other staff in our home states. We lost some of our effectiveness with the Council of State Governments and with the old National Legislative Conference. The dominant staff sections were Service Bureau Directors and Legislative Council Directors, and not Clerks and Secretaries. Attendance at Society activities was down and interest was fading. To help revitalize our organization, a national seminar for Clerks and Secretaries, the first professional development seminar for any legislative staff, was held at the State University of New York at Albany in 1967. Albert J. Abrams, Secretary of the New York Senate, sponsored the seminar. Despite the skeptics, 16 people attended.

The annual meeting in Miami Beach the following year, however, attracted only 13 people from nine states. I attended that meeting. We were discouraged and depressed. Now you can understand our enthusiasm when 300 or more delegates from over 40 states and territories register for our seminars.

The actual rebirth of our Society probably took place at that Miami Beach meeting in 1968

when those 13 Clerks and Secretaries vowed to expand activities, promote attendance, and increase liaison among members. Mr. Beek, who then was in poor health, declined to run for reelection. He was named president emeritus and a resolution was adopted thanking him for his 25 years of outstanding leadership. He passed away the following year at the age of 88. History will show that his contributions to this organization have never been equaled.

### **Award Named After Beek**

ASLCS established a distinguished service award in 1983 and named it the Joseph A. Beek Award. Eight Society members have been presented with the award since its inception.

Ward Bowden, Secretary of the Senate of the State of Washington, was elected as the new president in 1968. T. Thomas Thatcher, Clerk of the Michigan House, was named vice president.

An unfortunate happening took place that year. Mr. Bowden, the new president, passed away in the middle of his term while working as Secretary on the floor of the Washington Senate. Vice President Thatcher assumed the duties of president. In 1969, Mr. Thatcher was named to a full one-year term as president. The following year he declined reelection, thereby establishing the custom and usage that presidents of this organization now serve only one term.

But a new course was set for the American Society of Legislative Clerks and Secretaries. We truly were "born again." Let's discuss some of our accomplishments in the past 32 years. Permit us to brag a bit.

Presently there are 12 staff sections active in the National Conference of State Legislatures. Today we probably are the envy of these other staff sections. We are better organized. We are more progressive and innovative. We lead in attendance. We think we do more for our members.

This year's professional development seminar in North Carolina is booked as the 34th annual seminar. Perhaps it is more accurate to say that this is the 33rd annual seminar because in 1968 the Society experimented with regional seminars rather than a national seminar. Attendance at Clerks and Secretaries seminars has increased more than 20 times since 1967.

The seminar programs vary from year to year and seem to improve each year. The trend is to utilize some faculty from our own profession. A display of printed materials from various states is frequently featured. This year, breakout sessions by job categories are again being held. A meeting exclusively for Clerks and Secretaries is scheduled. The term "professional development" can rightfully be applied to these meetings. In 1976 a new tradition was established when the annual Society business meeting and election of officers, previously held at the national conference, was rescheduled for the seminar in San Francisco. Another activity that increased the interest in the seminars was the addition of a state dinner to the seminar program. This, too, has now become a tradition. The National Conference of State Legislatures is now taking our group seriously and we receive excellent cooperation and professional assistance from them.

Some of the annual seminars for Clerks and Secretaries are held in state capitol buildings where tours of legislative facilities are conducted, the lawmaking process is demonstrated on the spot, samples of

legislative publications are made available, and improvements in technology are announced.

### **Bylaws Established in 1972**

I mentioned earlier that we are more formally organized than other staff sections. We have our own bylaws which were established in 1972 after a long and constructive fight. The purpose of our organization was properly defined in the bylaws and reads: "The purpose of this Society is to improve the administrative effectiveness of State Legislatures and to develop better procedures in enhancing the lawmaking function."

The bylaws provide for a strong Executive Committee, giving responsibilities and authority to the officers and the Executive Committee. The committee now meets quarterly to transact Society business and plan future activities.

Standing orders are published periodically and supplement the bylaws.

Many of our people have been elected to serve as officers or members of the NCSL executive committee. Others have served as chairpersons or members of NCSL standing committees. We now take an aggressive role in the campaign to make sure that Clerks and Secretaries are fairly represented – and our campaigns have been highly successful.

We now have our own separate dues and our treasury shows a healthy balance. We aren't hesitant to spend our money for worthwhile projects. Dues were first established in 1972 after another battle. Prior to that it was difficult to finance our activities and Society officers were expected to pay many of the expenses out of their own pockets.

## **Logo Designed in 1975**

We have our own logo, adopted through a national contest sponsored in 1975 and updated at the 50th anniversary of the Society in 1993. The original contest attracted 25 entries. The logo appears on our business letterhead and on all of our publications. Jewelry was first manufactured in 1976 featuring the logo.

We adopted a Code of Ethics in 1973 and modernized it in 1977. The framed Code of Ethics now hangs in the offices of most Clerks and Secretaries.

Communication among members of the Society is excellent. Over 60 issues of the Legislative Administrator have been produced since the first issue went to press in 1969. A Professional Journal was established in 1996 and ten quality issues have been distributed.

Three weekend workshops have been held: one in Dallas, one in Salt Lake City, and one in Washington, D.C.

We have conducted 11 successful Interparliamentary Sessions with our counterparts from Canada. The last joint meeting was held in Austin, Texas, in 1999. The 1997 session was held in Victoria, British Columbia. Consideration is being given to the establishment of ties with legislative organizations from Mexico, South Africa, Central America, and other foreign locations. International interest is growing.

Our standing committees and special task forces have been active. A glossary of legislative terms was published. A popular directory of Society members with photos, biographies, addresses, and phone numbers is distributed annually.

## **Associate Members**

We created a new category of membership called associate members, and these support staff people have been productive workers in the Society. The bylaws were amended in 1983 to provide a new elected office called associate vice president. An associate member is an assistant or other staff person who works in the office of Clerk or Secretary. The associate member issue coupled with voting rights was very divisive in the 1970s. Today, associate members are well received and outnumber principals at most meetings. They serve on all committees including the Executive Committee. Most standing committees have an associate vice chair. They chair some standing committees, as well as special committees and projects. The inclusion of associate members contributes greatly to the success of the Society, and valuable training is now being provided for assistants and other specialists.

A distinguished service award for associates was established in 1991. Six such awards have been presented at the annual seminar.

Seven innovation awards and seven staff achievement awards have likewise been presented in the 1990s.

### **Mason's Manual Revision Commission**

A special ASLCS commission of 18 members plus two alternate members and three associates is currently producing another revision of Mason's Manual of Legislative Procedure. The popular legislative book of rules was first published in 1935 with six subsequent printings. Paul Mason, author, passed away in 1985. A commission of ASLCS members published a revised manual in 1989 after NCSL was assigned the copyright.

## **Inside the Legislative Process**

A valuable research tool called "Inside the Legislative Process" provides information to those who are interested in management and procedures of legislative bodies. The document was first produced in 1979 as a project of the Society. Information is taken from comprehensive surveys of Clerks and Secretaries. Eight surveys have been concluded and the publication is now an annual event with material divided among several topics in a loose leaf binder. This has developed into one of the Society's most successful projects.

## **Technology Assistance**

Sharing technology information useful to state legislatures is one advantage of membership in ASLCS. The Society website created in the late 1990s is being updated and improved constantly thanks to the Technology and Innovation Committee. An e-mail discussion group called "Listserv" is now in existence and helps in gathering instant information from our peers around the country. Seminar programs and discussions feature the latest in legislative technology.

As members of ASLCS, we have gained a new admiration for each other as administrators and parliamentarians. Although we live in a political atmosphere, we have learned to work together in this organization in a non-partisan way. We have one goal in mind: to improve the system that employs us and at the same time improve our own status as professionals.

And with all this increased activity we have not forgotten how to socialize. Our state dinners, our early bird receptions, our hospitality rooms, and other informal gatherings have helped us become working partners. We learn from each other and share problems with each other as friends, not strangers. Our acquaintanceship knows no state or territorial borders.

This review of our history should give us a new respect for our organization, for all its members, and for the trust placed in us by our peers. Our history gives us a better appreciation of the contributions made by others during the past 57 years.

## **New Members Wanted**

We welcome new people, both as members or associate members. We think we can help them. But more than that, we need them and their ideas. Their presence will inspire us to do better. Their involvement will make certain that we don't become complacent or smug. With their help, we can make this organization even better.

The history of the American Society of Legislative Clerks and Secretaries is truly a success story. Former and current members have accomplished what our founders set out to accomplish way back in 1943. With the help of new members this year, and new members next year, and in all the years to come, the history of this great organization will continue to be a success story.

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Spring	2010	Austin, Robert J.	<i>Too Much Work, Not Enough Time: A Virginia Case Study in Improving the Legislative Process</i>
Fall	1996	Burdick, Edward A.	<i>Committee of the Whole: What Role Does It Play in Today's State Legislatures?</i>
Fall	2017	Champagne, Richard	<i>Organizing the Wisconsin State Assembly: The Role of Memoranda of Understanding</i>
Spring	2003	Clapper, Thomas	<i>How State Legislatures Communicate with the Federal Government</i>
Spring	2008	Clemens, Laura	<i>Ohio's Constitutional Showdown</i>

Fall	2006	Clift, Claire J.	<i>Reflections on the Impeachment of a State Officer</i>
Fall	2008	Clift, Claire J.	<i>Three Minutes</i>
Spring	2004	Dunlap, Matthew	<i>My Roommate Has a Mohawk and a Spike Collar: Legislative Procedure in the Age of Term Limits</i>
Winter	2000	Edwards, Virginia A.	<i>A History of Prefiling in Virginia</i>
Spring	2002	Erickson and Barilla	<i>Legislative Powers to Amend a State Constitution</i>
Spring	2001	Erickson and Brown	<i>Sources of Parliamentary Procedure: A New Precedence for Legislatures</i>
Summer	1999	Erickson, Brenda	<i>Remote Voting in Legislatures</i>
Fall	2013	Gehring, Matt	<i>Amending the State Constitution in Minnesota: An Overview of the Constitutional Process</i>
Fall	2010	Gieser, Tisha	<i>Conducting Special Session Outside of the State Capital</i>
Winter	2021	Gruss and Curry	<i>How the Oregon Legislature Adapted to the COVID-19 Pandemic</i>
Spring	2004	James, Steven T.	<i>The Power of the Executive vs. Legislature – Court Cases and Parliamentary Procedure</i>
Spring	1997	Jones, Jerry G.	<i>Legislative Powers and Rules of Procedure: Brinkhaus v. Senate of the State of Louisiana</i>
Fall	2023	Kannarr, Susan W.	<i>The Role of the Committee of the Whole in Kansas</i>
Spring	1998	King, Betty	<i>Making Tradition Relevant: A History of the Mason's Manual of Legislative Procedure Revision Commission</i>
Spring	2010	Kintsel, Joel G.	<i>Adoption of Procedural Rules by the Oklahoma House of Representatives: An Examination of the Historical Origins and Practical Methodology Associated with the Constitutional Right of American Legislative Bodies to Adopt Rules of Legislative Procedure</i>
Fall	2002	Maddrea, B. Scott	<i>Committee Restructuring Brings Positive Changes to the Virginia House</i>
Spring	2009	Marchant, Robert J.	<i>Legislative Rules and Operations: In Support of a Principled Legislative Process</i>
Fall	2016	Mason, Paul	<i>Parliamentary Procedure</i>
Fall	1997	Mayo, Joseph W.	<i>Rules Reform</i>
Spring	2011	McComlossy, Megan	<i>Ethics Commissions: Representing the Public Interest</i>

Winter	2021	Miller, Dana	<i>Working within a Pandemic: Missouri House of Representatives</i>
Fall	2014	Miller, Ryan	<i>Voice Voting in the Wisconsin Legislature</i>
Spring	2002	Mina, Eli	<i>Rules of Order versus Principles</i>
Spring	2011	Morgan, Jon C.	<i>Cloture: Its Inception and Usage in the Alabama Senate</i>
Fall	2022	Nacario, Tashi	<i>The Engrossing and Enrolling Process</i>
Fall	2008	Pidgeon, Norman	<i>Removal by Address in Massachusetts and the Action of the Legislature on the Petition for the Removal of Mr. Justice Pierce</i>
Fall	2007	Robert and Armitage	<i>Perjury, Contempt and Privilege—Oh My! Coercive Powers of Parliamentary Committees</i>
Fall	2017	Silvia, Eric S.	<i>Legislative Immunity</i>
Fall	2015	Smith, Paul C.	<i>Wielding the Gavel: The 2014 NH House Speaker's Race</i>
Spring	2003	Tucker, Harvey J.	<i>Legislative Logjams Reconsidered</i>
Fall	2005	Tucker, Harvey J.	<i>The Use of Consent Calendars In American State Legislatures</i>
Summer	2000	Vaive, Robert	<i>Comparing the Parliamentary System and the Congressional System</i>
Fall	2001	Whelan, John T.	<i>A New Majority Takes Its Turn At Improving the Process</i>

### **Staff**

Spring	2001	Barish, Larry	<i>LSMI: A Unique Resource for State Legislatures</i>
Fall	2001	Best, Judi	<i>Legislative Internships: A Partnership with Higher Education</i>
Spring	1996	Brown, Douglas G.	<i>The Attorney-Client Relationship and Legislative Lawyers: The State Legislature as Organizational Client</i>
Fall	2002	Gallagher and Aro	<i>Avoiding Employment-Related Liabilities: Ten Tips from the Front Lines</i>
Spring	2011	Galvin, Nicholas	<i>Life Through the Eyes of a Senate Intern</i>
Spring	2003	Geiger, Andrew	<i>Performance Evaluations for Legislative Staff</i>

Spring	1997	Gumm, Jay Paul	<i>Tap Dancing in a Minefield: Legislative Staff and the Press</i>
Fall	1997	Miller, Stephen R.	<i>Lexicon of Reporting Objectives for Legislative Oversight</i>
Fall	2014	Norelli, Terie	<i>Building Relationships through NCSL</i>
Winter	2000	Phelps, John B.	<i>Legislative Staff: Toward a New Professional Role</i>
Spring	2004	Phelps, John B.	<i>Notes on the Early History of the Office of Legislative Clerk</i>
Winter	2000	Swords, Susan	<i>NCSL's Newest Staff Section: "LINCS" Communications Professionals</i>
Fall	1996	Turcotte, John	<i>Effective Legislative Presentations</i>
Fall	2005	VanLandingham, Gary R.	<i>When the Equilibrium Breaks, the Staffing Will Fall – Effects of Changes in Party Control of State Legislatures and Imposition of Term Limits on Legislative Staffing</i>

### **Technology**

Spring	1996	Behnk, William E.	<i>California Assembly Installs Laptops for Floor Sessions</i>
Spring	1997	Brown and Ziems	<i>Chamber Automation in the Nebraska Legislature</i>
Fall	2020	Carlson, Brittany Y.	<i>An in-depth look at assistive technologies provided by the Washington Legislature for Lt. Governor Cyrus Habib</i>
Fall	2008	Coggins, Timothy L.	<i>Virginia Law: It's Online, But Should You Use It?</i>
Spring	2002	Crouch, Sharon	<i>NCSL Technology Projects Working to Help States Share Resources</i>
Spring	1997	Finch, Jeff	<i>Planning for Chamber Automation</i>
Summer	1999	Galligan, Mary	<i>Computer Technology in the Redistricting Process</i>
Summer	1999	Hanson, Linda	<i>Automating the Wisconsin State Assembly</i>
Fall	1995	Larson, David	<i>Emerging Technology</i>
Fall	2022	Martin, Megan	<i>Time for a Change</i>
Fall	1996	Pearson, Herman et al.	<i>Reengineering for Legislative Document Management</i>
Fall	1995	Schneider, Donald J.	<i>Full Automation of the Legislative Process: The Printing Issue</i>

Spring	2006	Steidel, Sharon Crouch	<i>E-Democracy – How Are Legislatures Doing?</i>
Fall	2007	Sullenger, D. Wes	<i>Silencing the Blogosphere: A First Amendment Caution to Legislators Considering Using Blogs to Communicate Directly with Constituents</i>
Spring	2009	Taylor, Paul W.	<i>Real Life. Live. When Government Acts More Like the People It Serves.</i>
Fall	2009	Taylor and Miri	<i>The Sweet Path – Your Journey, Your Way: Choices, connections and a guide to the sweet path in government portal modernization.</i>
Fall	1997	Tinkle, Carolyn J.	<i>Chamber Automation Update in the Indiana Senate</i>
Fall	2009	Weeks, Eddie	<i>Data Rot and Rotten Data: The Twin Demons of Electronic Information Storage</i>
Fall	2013	Weeks, Eddie	<i>The Recording of the Tennessee General Assembly by the Tennessee State Library and Archives</i>