

9. OFFICE OF THE CHIEF CLERK OR SECRETARY

The Principal Clerk or Secretary

According to noted parliamentarian Luther Cushing, the recording officer—that is, the clerk or secretary—is one of three "principal officers necessary to enable a legislative assembly to perform its various functions." The office of the legislative clerk or secretary is the oldest staff arm of American state legislatures. In 1619, the Virginia House of Burgess was assisted by a clerk who was loaned from the British House of Commons.

Selection. Although legislatures in the United States copied the British practice of having a clerk, the method used to select this individual was changed. In Parliament, the clerks are appointed by letters patent from the British sovereign. In the United States, legislative clerks typically are chosen by their assemblies; more than three-fourths of the legislatures select the clerk by a vote of the entire body (see table 99-9.1). The clerks in 12 chambers are appointed by legislative leaders. In the Iowa Senate and House, the secretary and clerk are hired by a rules or management committee.

Once selected, to whom does the clerk or secretary report? It is the president of the Senate or speaker of the House in 59 chambers. The legislative clerk reports to the entire body in 32 chambers. As shown in table 99-9.2, the clerk or secretary also may report to the president pro tem, majority leader, and rules or management committee.

Term of office. The terms of office for British and American clerks also differ. Clerks of the British Parliament hold their offices for life. In the United States, however, most clerks and secretaries have limited terms of office. Typically, they are reelected or reappointed at the beginning of each new legislative session. Table 99-9.3 illustrates the length of terms.

During their terms, most chief parliamentary officers work full-time for their legislatures (see table 99-9.4). In 11 chambers, however, the position is part-time or session-only. In the Alaska Senate and House, the clerk and secretary are employed full-time during the session and part-time during the interim.

Duties. The first 13 state legislatures had parliamentary officers who oversaw the essential record-keeping functions. Today, the core responsibilities of the legislative clerk and secretary remain remarkably similar to those of colonial times, still centering on record keeping and the processing of legislation (see by table 99-9.5).

In many states, however, the duties of the clerk or secretary have expanded considerably since the original 13 states organized, going well beyond traditional bill processing functions (see tables 99-9.6 and 99-9.7). Today, in 86 chambers, the secretary serves as the chief administrative officer. The clerks in many legislative bodies supervise purchasing, supplies, printing, legislative accounting, secretarial staff and messengers. In the Florida Senate, South Carolina Senate, and Washington Senate, the clerk serves as the director of research. The secretary directs legal services for the Florida Senate, South Carolina Senate and Washington Senate.

Table 99-9.1 Selection of the Clerk or Secretary

State (1)	Elected by entire body	Appointed by the president of the Senate	Appointed by the speaker of the House	Selected by the majority caucus	Other
Alabama	B				
Alaska	B				
Arizona	B				
Arkansas	S		H		
California	B				
Colorado	S		H	S	
Connecticut	B		H		2
Delaware	H			H	
Florida	B				
Georgia	B				
Hawaii	H				
Idaho	S		H		
Illinois	B				
Indiana	B				
Iowa					3
Kansas		S	H		
Kentucky	B				
Louisiana	B				
Maine	B				
Maryland		S			
Massachusetts	B				
Michigan	B			S	
Minnesota	B				
Mississippi	B				
Missouri	B				
Montana		S	H		

Table 99-9.1 Selection of the Clerk or Secretary, cont'd.

State (1)	Elected by entire body	Appointed by the president of the Senate	Appointed by the speaker of the House	Selected by the majority caucus	Other
Nebraska	S				
Nevada	B				
New Hampshire	H				
New Jersey	B				4
New Mexico	B				
New York	H				
North Carolina	B				
North Dakota	B				
Ohio	B				
Oklahoma	B		H		
Oregon	B				
Pennsylvania	B				
Rhode Island	B				
South Carolina	B				
South Dakota	B				
Tennessee		S	H		
Texas	S		H		
Utah		S	H		
Vermont	B				
Virginia	B				
Washington	B				
West Virginia	B				
Wisconsin	B			S	
Wyoming	B		H		
American Samoa	S				
District of Columbia	S				5
Puerto Rico	S				

Table 99-9.1 Selection of the Clerk or Secretary, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Notes:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Connecticut Senate: The clerk of the Senate is appointed by the president pro tem and majority leader.
3. Iowa Senate: The secretary of the Senate and the chief clerk of the House are hired by rules or management committees.
4. New Jersey Senate: The secretary of the Senate also is appointed by the president pro tem.
5. District of Columbia Council: The secretary to the Council is appointed by the chairman and then confirmed by the entire Council.

Table 99-9.2 To Whom the Clerk or Secretary Reports

State (1)	Entire body	President of the Senate	President pro tem	Speaker of the House	Majority leader	Rules or management committee	Other
Alabama	B						2
Alaska		S		H	B	B	
Arizona		S		H			
Arkansas							3
California	B		S	H		B	
Colorado		S		H			4
Connecticut			S	H	S		
Delaware				H			
Florida	B	S					
Georgia	B	S					
Hawaii	H			H			
Idaho		S		H			
Illinois	S	S		H			
Indiana	S		S	H			
Iowa	S	S		H		H	
Kansas		S		H			
Kentucky	H						5
Louisiana	B	S		H			
Maine	H	S		H			
Maryland		S					
Massachusetts	B	S					
Michigan				H	S		
Minnesota				H	S		
Mississippi	H			H		B	
Missouri	B			H	H	H	
Montana		S		H			

Table 99-9.2 To Whom the Clerk or Secretary Reports, cont'd.

State (1)	Entire body	President of the Senate	President pro tem	Speaker of the House	Majority leader	Rules or management committee	Other
Nebraska						S	
Nevada				H	S		
New Hampshire	H			H			
New Jersey		S		H			
New Mexico	S			H			
New York				H			
North Carolina	S			H		S	
North Dakota					B		
Ohio		S		H			6
Oklahoma			S	H			
Oregon	H	S					
Pennsylvania	S		S			H	
Rhode Island				H	B		
South Carolina	S		S	H		S	
South Dakota			S	H			
Tennessee		S		H			
Texas	S			H		S	
Utah		S		H			
Vermont	H					S	
Virginia				H		S	
Washington	S					B	
West Virginia	H	S					
Wisconsin				H		S	
Wyoming		S		H			
American Samoa		S					
District of Columbia	S						
Puerto Rico		S					

Table 99-9.2 To Whom the Clerk or Secretary Reports, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Notes:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Alabama Senate: The secretary of the Senate also reports to the Legislative Council.
3. Arkansas Senate and House: The secretary of the Senate reports to the Senate Efficiency Committee. In the House, the chief clerk reports to the chief of staff.
4. Colorado House: The chief clerk also reports to the House Services Committee.
5. Kentucky Senate: In the Senate, the chief clerk reports to the Senate Committee on Committees.
6. Ohio Senate: The clerk of the Senate also reports to the chief of staff.

Table 99-9.3 Length of Term

State (1)	1 year	2 years	4 years	Other
Alabama			B	
Alaska		B		
Arizona		B		
Arkansas		B		
California		H		2
Colorado	B			
Connecticut		B		
Delaware		H		
Florida		B		
Georgia		B		
Hawaii		H		
Idaho		S		3
Illinois		B		
Indiana		B		
Iowa		H		4
Kansas			S	5
Kentucky	H	S		
Louisiana			B	
Maine		B		
Maryland				6
Massachusetts		B		
Michigan		H	S	
Minnesota		B		
Mississippi			B	
Missouri		S		7
Montana				8

Table 99-9.3 Length of Term, cont'd.

State (1)	1 year	2 years	4 years	Other
Nebraska		S		
Nevada		B		
New Hampshire		H		
New Jersey		H		9
New Mexico		B		
New York		H		
North Carolina		B		
North Dakota		B		
Ohio		B		
Oklahoma		S		10
Oregon		B		
Pennsylvania		S		11
Rhode Island		B		
South Carolina		B		
South Dakota	B			
Tennessee		B		
Texas		B		
Utah		H		12
Vermont		B		
Virginia		H	S	
Washington		B		
West Virginia		B		
Wisconsin		B		
Wyoming	S	H		
American Samoa		S		
District of Columbia		S		
Puerto Rico			S	

Table 99-9.3 Length of Term, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Notes:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. California Senate: The secretary of the Senate serves until a successor is elected.
3. Idaho House: The clerk of the House serves until replaced by a new appointee.
4. Iowa Senate: The secretary of the Senate serves at the pleasure of leadership.
5. Kansas House: The chief clerk of the House serves at the pleasure of the speaker.
6. Maryland Senate: The secretary of the Senate serves at the pleasure of the president.
7. Missouri House: The chief clerk of the House serves until a new clerk is elected.
8. Montana Senate and House: No term length is specified for either the secretary of the Senate or chief clerk of the House.
9. New Jersey Senate: The secretary of the Senate serves at the pleasure of the president.
10. Oklahoma House: The chief clerk of the House serves at the pleasure of the speaker.
11. Pennsylvania House: The chief clerk of the House serves until removed by a two-thirds vote of the elected members.
12. Utah Senate: No term length is specified for the secretary of the Senate.

Table 99-9.4 Employment Status of the Principal Clerk or Secretary

In the following chambers, the position is full-time	
Alabama Senate and House	Nebraska Senate
Arizona Senate and House	Nevada Senate and Assembly
Arkansas Senate and House	New Jersey Senate and General Assembly
California Senate and Assembly	New Hampshire House
Colorado Senate and House	New Mexico Senate and House
Delaware House	New York Assembly
Florida Senate and House	North Carolina Senate and House
Georgia Senate and House	Ohio Senate and House
Hawaii House	Oklahoma Senate and House
Idaho Senate and House	Oregon Senate and House
Illinois Senate and House	Pennsylvania Senate and House
Indiana Senate and House	Rhode Island Senate and House
Iowa Senate and House	South Carolina Senate and House
Kansas Senate and House	Tennessee Senate and House
Kentucky Senate and House	Texas Senate and House
Louisiana Senate and House	Utah Senate and House
Maine Senate and House	Vermont Senate and House
Maryland Senate	Virginia Senate and House
Massachusetts Senate and House	Washington Senate and House
Michigan Senate and House	West Virginia Senate and House
Minnesota Senate and House	Wisconsin Senate and House
Mississippi Senate and House	District of Columbia Council
Missouri Senate and House	Puerto Rico Senate
In the following chamber, the position is part-time	
Connecticut House	
In the following chambers, the position is session-only	
Connecticut Senate	South Dakota Senate and House
Montana Senate and House	Wyoming Senate and House
North Dakota Senate and House	American Samoa Senate
Other	
Alaska Senate and House (full-time during session; part-time during the interim)	

Table 99-9.5 Record-Keeping Duties of the Clerk or Secretary

State (1)	Ensure procedural requirements are followed	Maintain official records on bills, amendments, etc.	Supervise the operation of the electronic voting system	Supervise the operation of chamber sound and lighting	Supervise the operation of the body's computer system	Sign all enrolled bills and resolutions	Sign all subpoenas or other writs
Alabama	B	B	H	H	H	S	
Alaska	B	B	B			B	
Arizona	B	B	B	H		B	S
Arkansas	S	B	S	S	S	S	S
California	B	B	B	S	S	B	
Colorado	B	B	H	H	B	B	H
Connecticut	B	B	B	B	S	B	B
Delaware	H	H		H	H	H	H
Florida	B	B	B	S	S	B	B
Georgia	B	B	B	B	B	B	B
Hawaii	H	H			H	H	
Idaho	B	B	H	H		B	S
Illinois	B	B	B	B	B	B	B
Indiana	H	B	B	B	B	B	S
Iowa	B	B	B	B	B	B	H
Kansas	B	B	H	B	H	B	H
Kentucky	S	B	H	S		B	B
Louisiana	B	B	B	B	B	B	B
Maine	B	B	B	B	B		
Maryland	S	S	S	S		S	
Massachusetts	B	B	H		S	B	S
Michigan	B	B	B	B	B	B	
Minnesota	B	B	B	B	S	B	B
Mississippi		H	H	H		B	H
Missouri	B	S		S		H	B
Montana		B	B			B	

Table 99-9.5 Record-Keeping Duties of the Clerk or Secretary, cont'd.

State (1)	Ensure procedural requirements are followed	Maintain official records on bills, amendments, etc.	Supervise the operation of the electronic voting system	Supervise the operation of chamber sound and lighting	Supervise the operation of the body's computer system	Sign all enrolled bills and resolutions	Sign all subpoenas or other writs
Nebraska	S	S	S	S	S	S	S
Nevada	B	B	B	B	B	B	
New Hampshire	H	H	H				H
New Jersey	H	B	H	H		S	S
New Mexico	B	B	B	H	H	B	H
New York	H	H	H	H	H	H	
North Carolina	B	B	B	B	B	S	B
North Dakota		B	B	B		B	
Ohio	B	B	B	B	S	B	H
Oklahoma	B	B	B	B	H	B	B
Oregon	B	B	B	H		B	
Pennsylvania	S	S	B	B	S	B	B
Rhode Island		B	B	B	S	H	H
South Carolina	B	B	H	B	B	B	H
South Dakota	B	B	B			B	
Tennessee	B	B	B	B	S	S	
Texas	B	B	H		H	B	B
Utah	B	B	H	B	B	B	B
Vermont	B	S		S		B	S
Virginia	B	B	B	B	B	H	
Washington	B	B	H	B	B	B	H
West Virginia	B	B	B	B	B	B	B
Wisconsin	B	B	B	B	B	B	B
Wyoming	B	B	S	B	S	B	
American Samoa	S	S	S	S		S	S
District of Columbia		S		S	S	S	S
Puerto Rico	S	S	S	S	S	S	S

Table 99-9.5 Record-Keeping Duties of the Clerk or Secretary, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Note:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.

Table 99-9.6 Supervisory Duties of the Clerk or Secretary

State (1)	Supervises all Senate or House staff	Supervises Senate or House session-only staff	Manages the staff in the office of the clerk or secretary	Supervises the engrossing and enrolling staff	Oversees the chamber printing office	Oversees the chamber personnel and payroll system
Alabama	B	B	B	H	B	B
Alaska			B	B		
Arizona		S	B	B	B	
Arkansas		B	B	B	S	B
California	S		B	B	S	S
Colorado	B	H	B	B	S	B
Connecticut	B	B	B		H	
Delaware		H	H	H		
Florida		S	B	B	B	
Georgia		S	B	B	B	S
Hawaii			H	H	H	H
Idaho		B	B	B	S	
Illinois		B	B	B	H	B
Indiana	S	S	B	B	B	B
Iowa	S	B	B	B	B	B
Kansas		B	B	B		
Kentucky	S	B	B	B		B
Louisiana	B	B	B	B	B	B
Maine		B	B		S	B
Maryland			S	S		
Massachusetts			B		S	
Michigan	H	S	B	B	H	B
Minnesota	S		B	B	B	S
Mississippi	B	B	B	S	S	B
Missouri			S	S		
Montana	B	B	B			

Table 99-9.6 Supervisory Duties of the Clerk or Secretary, cont'd.

State (1)	Supervises all Senate or House staff	Supervises Senate or House session-only staff	Manages the staff in the office of the clerk or secretary	Supervises the engrossing and enrolling staff	Oversees the chamber printing office	Oversees the chamber personnel and payroll system
Nebraska		S	S		S	
Nevada	B	B	B			
New Hampshire			H	H		
New Jersey	S	B	H			H
New Mexico	B	B	B	B	B	B
New York			H			
North Carolina		H	B			
North Dakota		B				
Ohio		H	B	B	B	S
Oklahoma		H	H	B		H
Oregon	H	H	B			S
Pennsylvania		H	B	B	B	H
Rhode Island		H	S	S		H
South Carolina		S	B	S	B	B
South Dakota			B			
Tennessee	S	S	B	S	S	H
Texas			B	S	S	S
Utah	S	B	S	B		S
Vermont	S	B	B	B		
Virginia	B	B	B	B		B
Washington	B	H	B	B	B	B
West Virginia	S	S	B	B	B	B
Wisconsin	S	S	B		B	B
Wyoming	S	B	S		S	S
American Samoa	S	S	S	S		
District of Columbia			S			S
Puerto Rico			S	S	S	

Table 99-9.6 Supervisory Duties of the Clerk or Secretary, cont'd.

Key:

S=Senate

H=House or Assembly

B=Both chambers

Note:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.

Table 99-9.7 Other Duties of the Clerk or Secretary

State (1)	Acts as the chief legislative (chamber) administrator	Acts as the executive assistant to leadership	Acts as the chamber purchasing or procurement officer	Directs the public information office	Publishes various information guides and booklets	Conducts orientation program for new members	Other
Alabama	B		H	H	H		
Alaska					B		2
Arizona	B			B	B	B	
Arkansas	S	S	S		S	S	
California	B		S		S	H	
Colorado	B	S	B	H	B	B	
Connecticut	B	S		H		B	
Delaware	H		H				
Florida	S			S	B	S	3
Georgia	B	B	S			S	
Hawaii	H		H				
Idaho	B				B	B	
Illinois	B		B			B	
Indiana	B		B	S			
Iowa	B		B		H		
Kansas	S				B	B	4
Kentucky	B	H	B			B	
Louisiana	B	S	S	B	B	B	5
Maine	B		B		B	B	
Maryland	S						
Massachusetts	B			H	B	B	
Michigan	B		S	S	B	B	6
Minnesota	B		S	S	S	B	
Mississippi	H		H	S	B	H	
Missouri	H	S				S	
Montana	B						

Table 99-9.7 Other Duties of the Clerk or Secretary, cont'd.

State (1)	Acts as the chief legislative (chamber) administrator	Acts as the executive assistant to leadership	Acts as the chamber purchasing or procurement officer	Directs the public information office	Publishes various information guides and booklets	Conducts orientation program for new members	Other
Nebraska	S	S		S	S	S	
Nevada	B		B		B	B	7
New Hampshire					H	H	
New Jersey	B		H				
New Mexico	B	S	B	H	B	B	
New York	H					H	
North Carolina	H				B	B	
North Dakota	B						
Ohio	B		S		B	B	
Oklahoma	B	H	H	H	H		8
Oregon	B	S	H		B	B	9
Pennsylvania	B		H		B	S	10
Rhode Island	H					S	
South Carolina	S	S	B	B	B	S	11
South Dakota	B						
Tennessee	B		B		B	B	
Texas	B			S	S	B	12
Utah	B	S	S	B	B	H	13
Vermont	B		S		S	S	
Virginia	B		B	B	B	B	
Washington	B		B	H	B	B	14
West Virginia	B	B	B		B	B	
Wisconsin	B	S	B	S	B	B	
Wyoming	B	S	S	S		S	
American Samoa	S	S				S	
District of Columbia	S		S	S	S	S	
Puerto Rico	S				S	S	

Table 99-9.7 Other Duties of the Clerk or Secretary, cont'd.

Key:

- S=Senate
- H=House or Assembly
- B=Both chambers

Notes:

1. The following chambers did not return a survey: Delaware Senate, Hawaii Senate, Maryland House, New Hampshire Senate, New York Senate, American Samoa House, Guam Senate, Northern Mariana Islands Senate and House, Puerto Rico House and Virgin Islands Senate.
2. Alaska Senate and House: In the Senate and House, the secretary and clerk also conduct orientation programs for new staff.
3. Florida Senate: The secretary of the Senate also acts as the director of research and the director of legal services.
4. Kansas Senate and House: The secretary of the Senate also provides support to the leadership offices and chaplain when needed and conducts orientation programs for new staff. The chief clerk of the House also conducts training for new committee chairs and new leadership staff.
5. Louisiana House: The clerk of the House also serves as the chief of staff to the speaker.
6. Michigan Senate: The secretary of the Senate also administers oaths of office.
7. Nevada Senate and Assembly: In both chambers, the secretary and chief clerk also conduct orientation programs for legislative staff and develop the interim budget for the chamber.
8. Oklahoma Senate: In the Senate, the secretary also supervises the state election system.
9. Oregon Senate: The secretary of the Senate also manages the doctor of the day program and the honorary page program.
10. Pennsylvania Senate: The secretary of the Senate also supervises the page program and the tour guides.
11. South Carolina Senate: The clerk of the Senate also acts as the director of research and the director of legal services.
12. Texas Senate: The secretary of the Senate also supervises the research department and the purchasing department.
13. Utah Senate: The secretary of the Senate conducts orientation sessions for the spouses of new members.
14. Washington Senate: The secretary of the Senate also acts as the director of research and the director of legal services.