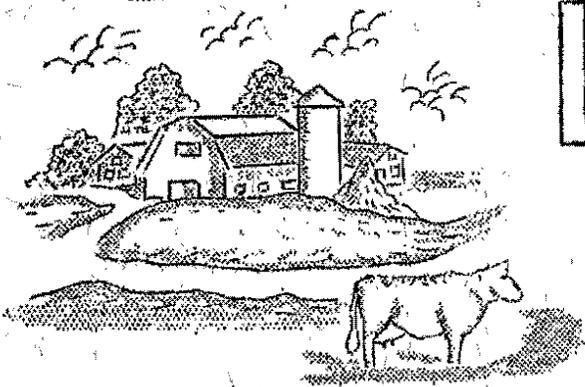
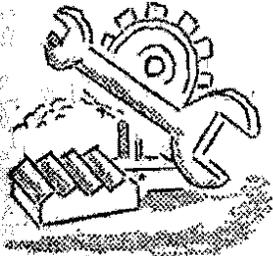


# A WISCONSIN LEGISLATIVE REFERENCE LIBRARY REPORT



*The Feasibility Of Organizing  
The Rules Of The Assembly In  
A Loose-Leaf System*

Prepared by  
THE WISCONSIN LEGISLATIVE REFERENCE LIBRARY  
State Capitol  
Madison 2, Wisconsin

INFORMATIONAL BULLETIN NO. 197  
October 1960



	1.		2.		3.		4.		5.
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Perma- nently bound</u>	<u>Loose- leaf</u>	<u>Yes</u>	<u>No</u>	_____
Del.									
Senate	...	X	...	...	...	...	...	X	...
House	No reply								
Fla.									
Senate	...	X	...	(7)	...	(8)	...	X	...
House	...	X	...	...	...	...	...	X	(9)
Ga.									
Senate	No reply								
House	...	X	...	...	...	...	...	X	(10)
Hawaii									
Senate	...	X	...	...	X	...	...	X	...
House	No reply								
Idaho									
Senate	...	X	...	...	...	...	...	X	...
House	No reply								
Ill.									
Senate	X	X	X(11)	...	...	...	...	...	...
House	...	X	...	...	...	...	...	X	...
Ind.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	X	...	X	...(11a)
Iowa									
Senate	No reply								
House	...	X	...	...	...	...	...	X	(12)
Kansas									
Senate	...	X	...	...	...	...	...	X	...
House	No reply								
Ky.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	X	...	X	...	(13)
La.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	...	...	X	...
Maine									
Senate	...	X	...	...	...	...	...	X	...
House	No reply								
Md.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	X	...	X	...

	1.		2.		3.		4.		5.
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Perma- nently bound</u>	<u>Loose- leaf</u>	<u>Yes</u>	<u>No</u>	_____
Mass.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	...	...	X	...
Mich.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	...	...	X	(14)
Minn.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	...	...	X	...
Miss.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	...	...	X	...
Mo.									
Senate	...	X	...	...	X	...	...	X	...
House	No reply								
Mont.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	X	...	...	X	...
Nebr.									
One house	...	X	...	...	...	...	...	X	...
Nev.									
Senate	...	X	...	...	...	...	...	X	...
House	No reply								
N.H.									
Senate	No reply								
House	...	X	...	...	...	...	...	X	...
N.J.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	...	X	...	(15)
N.Mex.									
Senate	No reply								
House	No reply								
N.Y.									
Senate	...	X	...	...	...	...	...	X	(16)
House	...	X	...	...	...	...	...	X	...
N.C.									
Senate	No reply								
House	No reply								

	1.		2.		3.		4.		5.
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Perma- nently bound</u>	<u>Loose- leaf</u>	<u>Yes</u>	<u>No</u>	
N. Dak.									
Senate	No reply								
House	... X		...	...	...	...	...	X	...
Ohio									
Senate	... X		...	...	...	...	...	X	...
House	... X		...	...	X	...	...	X	...
Okla.									
Senate	... X		...	...	X	...	...	X	...
House	... X		...	...	X	...	X	...	(17)
Oreg.									
Senate	... X		(18)	...	X	...	X	...	(19)
House	... X		...	...	...	...	X	...	(20)
Pa.									
Senate	... X		...	...	...	...	...	X	...
House	No reply								
R.I.									
Senate	... X		...	...	...	...	...	X	...
House	... X		...	...	...	...	...	X	...
S.C.									
Senate	... X		...	...	...	...	...	X	...
House	... X		...	...	...	...	...	X	...
S. Dak.									
Senate	No reply								
House	... X		...	...	...	...	...	X	...
Tenn.									
Senate	No reply								
House	... X		...	...	...	...	...	X	...
Texas									
Senate	... X		...	...	...	...	...	X	...
House	... X		...	...	...	...	...	X	... (20a)
Utah									
Senate	... X		...	...	...	...	X	...	(21)
House	No reply								
Vt.									
Senate	... X		...	...	...	...	...	X	(22)
House	No reply								
Va.									
Senate	... X		...	...	...	...	...	X	...
House	... X		...	...	...	...	...	X	...

	1.		2.		3.		4.		5.
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Perma- nently bound</u>	<u>Loose- leaf</u>	<u>Yes</u>	<u>No</u>	_____
Wash.									
Senate	...	X	...	...	...	...	...	X	(23)
House	...	X	...	...	...	...	...	X	...
W.Va.									
Senate	...	X	...	...	...	...	...	X	(24)
House	...	X	...	...	...	...	...	X	...
Wis.									
Senate	...	X	...	...	...	...	...	X	...
House	...	X	...	...	...	...	X	...	(25)
Wyo.									
Senate	No reply								
House	...	X	...	...	...	...	...	...	(26)

#### Footnotes to Replies to Questions

- (1) Arizona Senate. Never tried it. We seldom change our rules. Then we have a reprint.
- (2) California Senate. Rules are adopted early each session and seldom subjected to major amendment during the session.
- (3) California House. Our rules are adopted by House Resolution, the text of which is printed in the Assembly Journal. A copy of that day's journal provides a complete set of rules. Any subsequent amendments are also printed in the Journal. Those changes can be easily clipped and pasted with the journal containing the complete and original set of Rules. The Rules of the California Assembly and Senate and the Joint Rules of the Legislature are also printed in the Legislative Handbook, which is a bound volume prepared by the Chief Clerk of the Assembly and the Secretary of the Senate and published biennially.
- (4) Colorado Senate. Change of rules easy to replace. Names of new senators each 2 years and names of new employes each 2 years can be inserted without difficulty in a loose-leaf system.
- (5) Colorado House. When amendments are made to the rules, we don't have to reprint the whole book. We just print over the pages or page with the changes.
- (6) Colorado House. Because we print it on a legislative multilith machine.
- (7) Florida Senate. Frankly we have never considered the idea, but I can see some merit in it if many changes are made during the session. As a rule any changes in our rules are presented on the floor, debated and decided upon before adoption of the rules for the session and what few changes as may be made thereafter are printed on a fly leaf of the bound rules with proper cross reference.
- (8) Florida Senate. In my opinion the initial cost, depending upon the grade of binder used, would not vary a great deal, but to do any reprinting of bound volumes would be much greater than the printing of loose-leaf material.
- (9) Florida House. Rules assembled in loose-leaf form have never been considered. The rule book is printed (with changes) at the beginning of each regular session and paper bound.
- (10) Georgia House. The rules of each house are printed in the legislative manual. This manual is reprinted for each new general assembly which is every 2 years. The manual includes committee assignments, names of members, constitution of state, etc., along with the rules.

- (11) Illinois Senate. Available to all members and the public. On the first day of our session, the permanent rules of the 70th Gen. Assem. (in this case) were adopted as the temporary rules of the 71st. On March 10, 1959, the rules were amended and adopted.
- (11a) We do not change our rules very often and for that reason have them printed in large quantities to last several biennial sessions.
- (12) Iowa House. As a matter of fact the rules of the Iowa General Assembly have not changed materially over the past ten years. However, minor changes are made in the rules every session. We distribute the legislative rules to a good many public schools, trade associations and the general public and it appears to me at this time that a loose-leaf rule book would be easily torn apart and from a practical standpoint the bound rules would be more practical.
- (13) Kentucky House. Printing done by Legislative Research Commission and set up to do all legislative and statute printing.
- (14) Michigan House. On the opening day of the regular session of the odd numbered year, the House rules are printed in full in the House Journal. They also appear in the Michigan Legislative Handbook, a bound volume.
- (15) New Jersey House. Not practical from a printing standpoint. Also too costly for distribution to public.
- (16) When the annual session of a new legislature convenes on the Wednesday after the first Monday in January, it is customary for each house to adopt the rules of the preceding session, as amended, as the rules for the biennium. Thereupon, we print these newly adopted rules as soon as possible. In addition, at the conclusion of each annual session, we again print the rules, with any amendments made during the session, so that each house will have before it when it convenes for the next annual session, the latest amended version of its rules.
- (17) Oklahoma House. State Legislative Council Committee was not sold on this idea, that is, Legislative Procedures Committee.
- (18) Oregon Senate. Permanently bound rules are difficult to change, correct or add to any part of it.
- (19) Oregon Senate. New forms are being considered which will be presented to our 1961 members next January.
- (20) Oregon House. It is under consideration for the 1961 session to be included in a legislator's notebook with all other permanent material.
- (20a) The Texas House Rules (and senate) are pretty well standardized - only a few changes (1-4) made at the beginning of a new regular session. However, new annotations are added. Since the legislative manual contains other than rules, a loose-leaf format would not be of much interest in Texas.
- (21) Utah Senate. No leadership.
- (22) Vermont Senate. The only printing of our rules is in the journal and in the Vermont Legislative Directory and state manual.
- (23) Washington Senate. We print a legislative manual each session embracing among other things the revised rules.
- (24) West Virginia Senate. The legislative manual, which contains the senate and house rules is published every 2 years, which affords an opportunity to make any changes between printings. It also contains roster of members and state constitution.
- (25) Wisconsin House. It is being considered. Hence the report.
- (26) Wyoming House. The bound volume is compact, easy to keep in a pocket.
- (27) The rules are not published.

HOW MANY STATES USE A LOOSE-LEAF RULE BOOK?

The replies indicate that only one state, Colorado, uses a loose-leaf form of rule book.

HOW MANY STATES HAVE CONSIDERED A LOOSE-LEAF FORM?

The replies indicate that this has been considered by the Kentucky House of Representatives, the New Jersey House of Representatives, the Oklahoma House of Representatives, both houses of Oregon and the Utah Senate. Only in the case of Oregon was there a favorable reaction, and the decision has not yet been made. In addition, the reaction from Florida indicated that they saw some merit in the idea.

ALTERNATIVE METHODS OF MEETING THE PROBLEM OF CURRENCY

In the California House, Michigan House, Vermont Senate, among others, the rules are printed in the journal at the beginning of the session. As one person indicated, this enables the members to clip subsequent changes and paste them in the copy at the proper place.

It should be pointed out that the rules of the legislature in the several states vary greatly as to length. In some states where the rules are few and concise, printing in the journal is a much cheaper process than it would be in Wisconsin.

VARIATIONS IN THE CONTENT OF THE DOCUMENT CONTAINING THE RULES

It was apparent that there are great variations in what is included in the various documents containing the manuals in which the rules appear. In some states the document contains only the rules. In others it contains the rules of both houses, the joint rules and the constitution. In others it is in effect a state manual. There is some evidence that the Oregon discussions contemplate a gathering under one cover of a series of preprinted pamphlets. The loose-leaf process does not preclude such a compilation. In fact, the Colorado handbook contains general information for the legislators, a description of the legislative process, the rules of both houses, the joint rules, a description of the legislative service, the statutes relating to the legislature, a directory of public officials, a group of maps and charts, and some basic data on the state.

Following is a brief summary of the contents of the various manuals containing rules.

## CONTENTS OF LEGISLATIVE MANUALS

Note: If all material was in one document, only one entry is made.  
 If each house has a manual, two entries appear.  
 X indicates that the item is present.

	Date	List of Members	Officers	Staff	Committees	Rules of House	Joint Rules	Data on Pro- cedures	Directory of State Officers	Precedents	Constitution
Ala.											
Senate	1959	X	X	...	X	X	X	...	...	...	...
House	1959	X	X	...	X	X	X	...	...	...	...
Alaska	No data										
Ariz.											
Senate	1957	...	...	...	...	X	...	...	...	...	...
House	1959	...	...	...	...	X	...	...	...	...	...
Ark.											
Senate	1955	...	...	...	...	X	X	X	...	...	...
House	1959	X	...	...	...	X	X	X	...	...	...
Calif.	1955	X	X	X	X	X	X	X	X	...	...
Colo.	1958	X	X	...	X	X	X	X	X	...	...
Conn.	1959	X	X	X	X	X	...	...	X	...	...
Del.											
Senate	1959	X	X	X	X	X	X	X	...	...	...
House	1959	X	X	X	X	X	X	X	...	...	...
Fla.											
Senate	1955	X	X	...	X	X	...	X	...	...	...
House	1955	X	X	...	X	X	...	X	...	X	...
Ga.	1959	X	X	...	...	X	X	...	...	...	X
Hawaii	No data										
Idaho											
Senate	1955	...	...	...	...	X	X	...	...	...	...
House	1955	...	...	...	...	X	X	...	...	...	...
Ill.	1959	X	X	...	X	X	X	...	X	...	...
Ind.											
Senate	1957	X	X	X	X	X	...	...	...	...	X
House	1959	X	X	X	X	X	...	...	...	...	X

	Date	List of Members	Officers	Staff	Committees	Rules of House	Joint Rules	Data on Pro- cedures	Directory of State Officers	Precedents	Constitution
Iowa	1959	X	X	...	...	X	X	...	...	...	...
Kansas											
Senate	1959	X	X	...	X	X	...	...	...	...	...
House	1959	X	X	...	X	X	...	...	...	...	(2)
Ky.											
Senate	1960	...	X	X	X	X	...	...	...	...	(2)
House	1960	...	X	X	X	X	...	...	...	...	(2)
La.											
Senate	1960	...	X	...	...	X	...	...	...	...	...
House	1960	...	...	...	...	X	...	...	...	...	(2)
Maine	1959	X	X	...	X	X	X	X	X	...	X
Md.											
Senate	1959	...	...	...	...	X	...	...	...	...	(2)
House	1959	...	...	...	...	X	...	...	...	...	(2)
Mass.	1957	X	X	X	X	X	X	X	X	X	X
Mich.	1957	X	X	X	X	X	X	...	X	...	X
Minn.	1959	X	X	X	X	X	X	...	X	...	...
Miss.	1959	...	...	...	...	X	X	...	X	...	(2)
Mo.	1959	X	X	...	X	X	X	...	...	...	...
Mont.	1959	X	X	X	X	X	X	...	...	...	...
Nebr.	1959	...	...	...	...	X	...	...	...	...	...
Nev.	1960	X	X	...	X	X	X	...	...	...	(1)
N.H.	1959	X	X	...	X	X	X	X	X	...	...
N.J.											
Senate	1955	X	X	...	X	X	...	...	...	...	...
House	1960	X	X	...	...	X	...	...	...	...	...
N.Mex.	1959	X	X	...	...	X	...	...	X	...	X
N.Y.											
Senate	1959	...	...	...	...	X	...	...	...	...	...
House	1959	...	...	...	...	X	...	...	...	...	...

	Date	List of Members	Officers	Staff	Committees	Rules of House	Joint Rules	Data on Pro- cedures	Directory of State Officers	Precedents	Constitution
N.C.											
Senate	1955	X	X	...	X	X	...	...	...	...	...
House	1955	X	X	...	X	X	...	...	...	...	...
N.Dak.											
	1957	X	X	X	X	X	X	...	...	...	...
Ohio											
Senate	1955	...	...	...	...	X	...	...	...	...	...
House	1955	...	...	...	...	X	...	...	...	...	...
Okla.											
Senate	1957	X	X	...	X	X	X	...	...	...	...
House	1957	X	X	...	X	X	X	X	...	...	...
Oreg.											
Senate	1959	...	X	...	...	X	...	...	...	...	...
House	1959	...	X	...	...	X	...	...	...	...	...
Pa.											
	1957	X	X	...	X	X	...	X	X	X	X
R.I.											
	1959	X	X	...	X	X	...	...	...	...	...
S.C.											
	1960	X	X	...	X	X	X	X	X	...	(2)
S.Dak.											
	1959	X	X	X	X	X	X	...	X	...	...
Tenn.											
Senate	1959	X	X	...	X	X	...	...	...	...	X
House	1959	X	X	...	X	X	...	...	...	...	X
Texas											
	1957	X	X	...	X	X	X	...	...	...	X
Utah											
	1955	X	...	...	X	X	X	...	X	...	(2)
Vt.											
	1958	X	...	...	...	X	X	X	...	...	...
Va.											
	1960	X	X	X	X	X	...	...	X	...	X
Wash.											
	1959	X	X	...	X	X	X	X	X	...	X
W.Va.											
	1959	X	X	...	X	X	X	...	X	...	X
Wis.											
Senate	1959	X	X	X	X	X	X	X	...	X	(2)
House	1959	X	X	X	X	X	X	X	...	X	X
Wyo.											
	1959	...	...	...	...	X	X	...	...	...	...

(1) Some statutory and constitutional provisions.

(2) Those provisions applicable to legislative process.

#### PRECEDENTS IN THE RULES

In some states precedents are not considered in interpreting the rules. In very few states are precedents incorporated in the rule book nor is the text of the authority on which the rules are based, such as Jefferson, Mason or Roberts given. The Wisconsin practice of incorporating precedents into the rules following the rule to which applicable suggests the value of a form of binder which permits continuous addition to the volume.

#### THE COLORADO PRACTICE

Colorado is the only known state which prints its rules in loose-leaf form. The printing is done by the legislative branch of the state government. A complete copy is provided to each legislator at the beginning of each session. As changes are made, the change sheets are inserted in the members' books by the staff.

#### WHO USES THE DOCUMENT?

It is said that in one state when a search was made for a copy of the document on which the legislative rules were based, not a single copy of that learned authority's volume could be found in the State Capitol. Not all legislators have an intimate acquaintance with the rules. There is some evidence that the rule book is a working document for a relatively few members, but that these people have a critical need for it. To make it most effective it must be readily usable, and it must be current. If the rules are stable, and the interpretations of the chair are not recorded, a printed volume is adequate. If, however, the rules are frequently amended as has been the case in Wisconsin in the past decade, and precedents become a part of the parliamentary process, the need for a more flexible manual is greater.

#### CONCLUSIONS

It is apparent that there is no widespread use or demand for a loose-leaf process of compiling the rules of the legislature among the states. In part, this is because the material incorporated in the document and its method of reproduction varies substantially. Where the rules are short, where no other material is incorporated in the volume, where few changes in rules are made, there is little need for a loose-leaf arrangement.

In 2 states where the manual for legislators incorporates a variety of materials, Colorado and Oregon, considerable thought has been given to the manner of organizing the document, and both favor a loose-leaf arrangement.

In Wisconsin where the volume is truly a working document, there is substantial need for keeping it up to date by the insertion of rule changes and precedents. Currency might be achieved more easily by the use of a loose-leaf system.

APPENDIX 1. Copy of Questionnaire sent out.

THE STATE OF WISCONSIN  
LEGISLATIVE REFERENCE LIBRARY  
State Capitol  
Madison 2

M. G. Toepel, Chief

August 11, 1960

Dear Sir:

A committee of one house of the Wisconsin Legislature is engaged in a revision and modernization of its rules. In this connection they have discussed the desirability of assembling the rules in loose-leaf form in order that changes in the rules and precedents may be added more readily.

In this connection we would like to ask you 5 questions.

1. Are your rules assembled in loose-leaf form? Yes\_\_\_ No\_\_\_
2. If so, has it proved satisfactory? Yes\_\_\_ No\_\_\_  
Why? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Which costs more? Permanently bound\_\_\_ Loose-leaf \_\_\_
4. If your rules are not in loose-leaf form, has such a proposal ever been considered? Yes\_\_\_ No\_\_\_
5. Why was the proposal discarded? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you will fill out this questionnaire, fold it, staple it and drop it in the mail, it will come back to us because it is self-addressed and stamped.

We would be most grateful for your help.

Sincerely yours,



M. G. Toepel, Chief

MGT:jt