



BILL SUMMARY

Boards and Commissions HF 2667/SF 2406

Status of Bill: House Calendar, passed by Senate 47-2
Committee: House Administration and Rules Committee
Floor Manager: Rep. Brian Quirk
Research Analyst: Paulee Lipsman
paulee.lipsman@legis.state.ia.us

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BACKGROUND

The bill primary function is to make the appointment of members of the general assembly to boards, commission, councils and committee run more smoothly by having terms coincide with the two-years of a General Assembly. It also allows the minority leaders of the house and senate to make their own appointments when necessary, without going through the speaker or majority leaders.

SUMMARY OF SF 2406

Sections 1 – appointments and per diem

Requires that the person who must make appointments to boards, commission, councils or committees must do so by the fourth Monday in January of the first regular session of each general assembly. If there is more than one consulting authority, they must consult with one another. If the senate appointing member is the president, majority leader or the minority leader, they must consult. The same is true in the house. Each appointing member notifies the director of the legislative service agency (LSA) of the appointment and term. LSA is to maintain an up to date listing of all appointments made or to be made. LSA must notify the appointee and the board, commission, council or committee. Unless prohibited specifically by law, a member of the general assembly shall be paid per diem and necessary travel and actual expenses when attending a meeting.

Section 2 – Legislative Council

Keeps the Legislative Council at 24 members. Twelve members are set by law including the president and president pro tempore of the senate, the speaker and speaker pro tempore of the house, the majority and minority leaders of the house and senate, the chair and ranking members of the senate and house appropriation committees and the chair and ranking members of the house and senate appropriation committees. This is no change from current law. However, the bill makes it law that of the other 12 persons, three will be named by the majority leader of the senate and three by the minority leader. In the house, three will be named by the speaker and three by the minority leader. Current law says the speaker and majority leader named six each, with three from the minority party and three from the majority party from each chamber. This change reflects current practice. The chairperson calls the meetings of the legislative council.

Section 3- LSA keeps list

Requires LSA to keep an up-to-date listing of all appointments and post on the general assembly website information on activities of boards, commissions, etc.

Section 4 – Legislative Protocol Officer

Current law in 2D.3 says that the legislative protocol officer “shall serve in a consultative capacity and shall provide staff support to the international relations advisory committee.” This language is struck.

Section 5 – Executive Protocol Office

Strikes language requiring the executive protocol officer, who may be the Lt. Governor or his/her designee, to serve in a consultative capacity to the international advisory council.

Section 6, Section 12, and Section 13- The Iowa economic protective and investment authority

Eliminates the authority which is currently part of the department of economic development. It was created in 1985, during the farm crisis.

Section 7 –Institute for Tomorrow’s Workforce

The membership on the Institute was changed in this bill. However, the committee amendment will strike this section of the bill, leaving the membership as it is currently in 7K.3

Section 8 - Technology governance board

Allows representatives of the Legislature to provide information to and seek information from the technology governance board.

Section 9 - IowaAccess advisory council

Removes the legislative appointees to the council. Allows representatives of the Legislature to provide information to and seek information from the council.

Section 10 and 11– Capitol Planning Commission

Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders. The terms of office for legislative members will be two years, rather than four years, to coincide with the terms of the general assembly.

Section 14 – Indigent Defense Advisory Commission

Increases the size from five to seven, so that representatives of the minority party in the house and senate are also appointed to the commission. The terms of office for legislative members will be two years, rather than three years, to coincide with the terms of the general assembly.

Section 15 – Iowa Economic Development Board

Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders.

Section 16 – Generation Iowa Commission

Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders.

Section 17 - Iowa capital investment board.

Increases membership to 4 non-voting members, from 2. Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders.

Section 18 – Administrative Rules Review Committee

Currently the membership is 10. This remains the same, but now makes clear that 3 are appointed by the speaker and two by the minority leader of the house, and 3 by majority leader and two by minority leader of the senate.

Section 19 – Iowa Empowerment Board

Reduces the membership from the general assembly from six to four. Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders.

Section 20 –Interstate Cooperation Commission

Keeps legislative membership of 10. Three members appointed by the majority leader of the senate and 3 members by the speaker of the house, and 2 members each from the minority leaders.

Section 21 – New Code Section. 69B.16B

Statutory Boards, Commissions, Councils and Committees - Appointments by Members of General Assembly – Terms – Dissolution

This section creates a new code section clarifying that:

- An appointment is at the pleasure of the appointing authority.
- Unless an appointee is replaced by the appointing member, the regular term is two years coinciding with the two years of the general assembly.
- A vacancy exists if a member ceases to be a member of the general assembly. The appointing authority makes the replacement for the unexpired portion of the term.

Unless otherwise specified, if a board, commission, etc. is created in session law only and not in the code of Iowa, the body is dissolved on or about the date of the body’s final report.

Section 22 – Law Enforcement Academy Council

Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders.

Section 23 – Iowa Workforce Development Board

Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders. Two year terms coinciding with general assembly.

Section 24 – Public Retirement Systems Committee

Keeps legislative membership of 10. Three members appointed by the majority leader of the senate and 3 members by the speaker of the house, and 2 members each from the minority leaders.

Section 25 – Commission on the Status of Women

Two year terms for the four legislative members.

Section 26 - Criminal and Juvenile Justice Planning Advisory Council

Two year terms for the four ex-official members from the legislature.

Section 27 – Electronic Health Records System Task Force

Clarifies majority and minority appointments and two year terms.

Section 28 - Mental health, mental retardation, developmental disabilities, and brain injury commission

Two year terms for the four legislative ex-official members.

Section 29 –Comprehensive family support council

Removes legislators from the council. Requires the governor to make all eleven appointments to the council but requires that five of the appointments shall be current or former service consumers or family members of service consumers.

Section 30 and 31 – Commission of elder affairs

Makes clear that majority party representatives are appointed by the speaker and majority leader of the house and senate, and the minority party representatives are appointed by the minority leaders. Two year terms for legislative members.

Section 32 – Senior living coordinating unit

Clarifies majority and minority appointments .

Section 33 - State child care advisory council

Increases membership from two legislators to four. Clarifies majority and minority appointments.

Section 34 - Medical assistance advisory council

Two year terms. Clarifies majority and minority appointments.

Section 35 - Medical assistance advisory council

The legislative members serve two year terms.

Section 36 - Child support advisory committee

Two year terms. Clarifies majority and minority appointments.

Section 37 - Council for agricultural education

Increase legislative membership from 2 to 4 and clarifies majority and minority appointments. Two year terms for legislative members.

Section 38 – Midwestern higher education compact

Two year terms for the four legislative members.

Section 39 – Education commission of the states

Two year terms. Clarifies majority and minority appointments. Can receive per diem in addition to actual and necessary expenses and travel.

Section 40 - Iowa learning technology commission

Two year terms for legislative members.

Section 41 - County finance committee

The operations research analyst will now be selected jointly by the majority and minority leaders of the senate and the speaker and minority leader of the house rather than by the legislative council.

Section 42 and Section 43 – City finance committee

Strikes appointment of an operations research analyst appointed by the legislative council. Reduces committee to 8 members from 9 members.

Section 44 – streamlines sales tax governing board

The four legislative members shall serve two year terms.

Section 45 - Iowa climate change advisory council

Clarifies majority and minority appointments of four legislative nonvoting, ex officio members.

Section 46 - Watershed improvement review board.

Two year terms for legislative members.

Section 47 - Energy fund disbursement council

Clarifies majority and minority appointments of four legislative nonvoting members.

Section 48 - Iowa comprehensive health insurance association board of directors

Clarifies majority and minority appointments of four legislative ex officio, nonvoting members.

Section 49 – Hawk-I board

Clarifies that legislators are ex officio, nonvoting members. Clarifies majority and minority appointments.

Section 50 - Interstate compact for adult offender supervision state council

Increases membership from 5 to 7. Legislative membership increases by 2 to include a member selected by the minority leader of the senate and one member selected by the minority leader of the house.

Section 51, 52, 53, 54 and 55– Repeals the following bodies

- Communications review committee (Code section 2.35);
- Legislative communications review committee (Code section 2.36)
- International relations advisory council (Code section 2D.1);
- Iowa economic protective and investment authority board (Code section 16A.3) and the authority, which is also repealed (Code chapter 16A);
- Judicial compensation commission (Code section 602.1514);
- Direct care worker task force established by the department of public health (2005 Iowa Acts, chapter 88);
- Sex offender treatment and supervision task force established by the division of criminal and juvenile justice planning of the department of human rights (2005 Iowa Acts, chapter 158, section 52);
- Watershed quality planning task force (2006 Iowa Acts, chapter 1145, section 4);
- Study group for diversion of placements of boys at the Iowa juvenile home (2006 Iowa Acts, chapter 1184, section 16); and
- Sustainable natural resource funding advisory committee (2006 Iowa Acts, chapter 1185, section 43).

Section 56 – Effective Date and Applicability

Effective upon enactment. Applies to appointees named by a member or members of the general assembly before, on, or after the effective date of this Act.

Amendment Summary

H- 8572 by Quirk

Makes clear that the Legislative appointees to the Institute for Tomorrow's Workforce serve only two year terms to coincide with the General Assembly session. The Governor's appointees serve three year terms.

H - 8548 by Ford

Requires minority representative whenever possible.