

February 23, 1951.
Appropriation.

House File 551

By COMMITTEE ON CONSOLIDATION AND CO-
ORDINATION OF STATE GOVERNMENT.

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date

Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

An Act to create a legislative council for the state of Iowa, describing its membership, prescribing its powers and duties, establishing a research and bill drafting service as a part thereof, and to make an appropriation therefor.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. There is hereby created as a permanent agency
2 a legislative council, hereinafter referred to as the council,
3 consisting of eight (8) senators to be appointed by the
4 president of the senate and eight (8) representatives to be
5 appointed by the speaker of the house of representatives before
6 the close of the Fifty-fourth General Assembly, and during
7 each regular session thereafter. Members of each political
8 party appointed from the senate shall, so far as possible, be
9 in proportion to the number of senators from each party in the
10 senate, and members of each political party appointed from the
11 house shall, so far as possible, be in proportion to the
12 number of representatives from each party in the house.
13 Vacancies in the appointive membership shall be filled in the
14 same manner as the original appointment. The expiration of

15 terms of the membership of said council shall be staggered,
16 and in order to achieve that purpose the initial appointment
17 of members by the speaker of the house shall be four (4)
18 members for two-year (2 yr.) terms and four (4) members for
19 four-year (4 yr.) terms, and initial appointments by the
20 president of the senate shall be four (4) members for two-year
21 (2 yr.) terms and four (4) members for four-year (4 yr.) terms.
22 One may serve on the legislative council only while a member
23 of the General Assembly. A chairman and a vice-chairman
24 shall be selected by the members. Subcommittees may be
25 appointed from the membership of the General Assembly by
26 the chairman. The first meeting of the council shall be
27 called by the president of the senate within ten (10) days
28 of each adjournment of a regular session of the Assembly.

1 Sec. 2. The council shall function during the interim
2 between the adjournment sine die of one (1) regular session
3 of the General Assembly and the convening of the next
4 succeeding regular legislative session, except that during
5 the succeeding regular legislative session the council shall
6 continue to function solely for the purpose of carrying out
7 the provisions of section eleven (11) of this act. It shall
8 be the duty of the council: (a) To collect information,
9 conduct studies, and prepare written reports on all matters
10 submitted to it by the General Assembly. (b) Any member of
11 the General Assembly or members of the executive council shall
12 have the right to submit written legislative proposals to the

13 council, and it shall be the duty of the council to give such
14 proposals the consideration which it deems they merit. (c)
15 To study the matter of improving legislative processes and
16 procedure. (d) To accumulate and compile such information
17 as the council may consider useful to the members of the
18 General Assembly, and to make the same available to said
19 members. (e) To examine the effects of previously enacted
20 statutes and recommend such amendments thereto as the council
21 deems advisable. (f) To prepare legislative proposals as in
22 the opinion of the council the welfare of the state may
23 require, and submit the same to the next succeeding regular
24 legislative session. The adoption of such proposals, or
25 any part thereof, by the General Assembly shall not be
26 compulsory; neither shall any existing rights or privileges
27 of any member thereof, with respect to the introduction of
28 legislative bills or legislative matters, be restricted nor
29 denied by reason of any provision of this act.

1 Sec. 3. The council shall make no study, examination,
2 or investigation of any matter which is concurrently being
3 studied, examined or investigated by any standing or
4 special and or study committee of the legislature, except
5 at request of such committee.

1 Sec. 4. Each officer, board, commission department and
2 agency of the state government, or any of its political
3 subdivisions, shall make studies for and furnish such
4 information to the council as it may request.

1 Sec. 5. The council may hold hearings, public or
2 private, and make such examinations and studies pertaining
3 to state government as said council may deem necessary or
4 helpful in any matter it has before it for study or
5 consideration.

1 Sec. 6. In the discharge of any of the duties or
2 functions of the council, the presiding officer of said
3 council may issue a subpoena on behalf of and in the name
4 of the council, requiring any person to appear before it
5 and be examined with reference to any matter within the
6 scope of inquiry or investigation being conducted by the
7 council, and to bring with him any books, documents, records
8 and papers requested. In case of disobedience on the part
9 of any person to comply with any subpoena issued in behalf
10 of the council, or on refusal of any witness to testify to
11 any matter regarding which he may be lawfully interrogated,
12 it shall be the duty of the district court of any county,
13 or of the judge thereof, on application of a member of the
14 council, to compel obedience by proceedings for contempt,
15 as in the case of disobedience of the requirements of a
16 subpoena issued from such court or a refusal to testify
17 therein. Each witness who appears before the council by
18 its order, other than a state officer or employee, shall
19 receive for his attendance the fees and mileage allowed
20 witnesses in civil cases in the district courts, which fees
21 shall be audited and paid upon the presentation of proper

22 vouchers sworn to by such witness and approved by the
23 chairman of the council. The presiding officer of the
24 council may administer an oath to a witness in any matter
25 before it.

1 Sec. 7. The council may meet at such times and places
2 as it may deem necessary to perform its duties, and in any
3 event it shall meet at least once in each quarter. Ten (10)
4 members shall constitute a quorum, and a majority thereof
5 shall have authority to act in any matter within the
6 jurisdiction of the council.

1 Sec. 8. The council shall adopt rules and regulations
2 relating to its meetings and the performance of its duties.
3 It shall keep complete minutes of its proceedings and
4 upon request make periodic reports to all members of the
5 General Assembly, keeping said members fully informed of
6 all matters which have come before the council, the actions
7 taken thereon, and the progress made in relation thereto.
8 Any member of the General Assembly shall have the right to
9 attend any open session of the council and present his views
10 on any subject which the council may be considering, but he
11 shall not have the right to participate or vote in any
12 decision which the council may make.

1 Sec. 9. All reports, recommendations and proposals for
2 legislation of the council to be submitted to the General
3 Assembly shall be completed and made public at least
4 twenty (20) days prior to any session at which the same are

5 to be submitted, and a copy thereof mailed to each member-
6 elect of the General Assembly and to each elective state
7 officers, state officer-elect, and to the Iowa state law
8 library.

1 Sec. 10. Compensation and expenses. For meetings of
2 the committee other than those held during the time the
3 legislature is in session, each member of the committee
4 shall receive his actual traveling expenses and a per diem
5 of twenty dollars per day for each day in attendance.

1 Sec. 11. There is hereby created, as an integral part
2 of the legislative council, a legislative research service,
3 which shall be under the general charge of an officer
4 designated as the executive secretary. The executive
5 secretary shall be selected and appointed by the council to
6 serve at the pleasure of the council and at a salary to be
7 fixed by the council. All other employees below the grade
8 of executive secretary shall also be selected and their
9 compensation fixed by the council.

1 Sec. 12. The duties and powers of the legislative
2 research service shall be the following: (a) It shall serve
3 as the research agency of the council. (b) It shall perform
4 all other duties requested by the council. (c) It shall
5 make research studies and reports requested by any member
6 of the General Assembly during the interim between regular
7 legislative sessions, subject to the rules and regulations of
8 the legislative council limiting the number of such requests

9 each member may make, and provided further that such research
10 studies do not interfere with research studies requested by
11 the legislative council. (d) During any legislative session,
12 it shall, when requested by a member of the General Assembly,
13 make research studies for such member. (e) It shall serve
14 as the bill drafting agency of the legislative council.
15 During a legislative session, it shall furnish bill drafting
16 service to members of the General Assembly. (f) It shall
17 make reports of its activities to the legislative council, at
18 the times and in the manner and form requested by said council,
19 or prescribed in its rules and regulations.

1 Sec. 13. In any research study requiring the expert
2 services of an outside person or organization, the council
3 shall have authority to employ an outside person or
4 organization to make the research, provided the council has
5 funds available to pay the cost thereof. The council shall
6 have authority to appoint advisory committees, the members
7 of which shall serve without compensation.

1 Sec. 14. Each department, board, commission and agency
2 of the state government of Iowa shall furnish to the legislative
3 research service copies of all reports which it is required by
4 law to make, as well as all printed publication which it
5 issues. Each of said departments, boards, commissions and
6 agencies is further required to make its records available
7 to the council and the legislative research service upon
8 request of the executive secretary thereof or upon request

9 of the legislative council.

1 Sec. 15. There is hereby appropriated from the general
2 funds of the state the sum of thirty thousand dollars
3 (\$30,000) annually, or so much thereof as may be necessary
4 for carrying out the provisions of this Act, to be disbursed
5 on warrants drawn by the comptroller against such fund on
6 requisitions signed by the chairman, or vice-chairman if
7 acting as chairman, of the council.

1 Sec. 16. This Act being deemed of immediate importance
2 shall be in full force and effect from and after its passage
3 and publication in the Evening Democrat, a newspaper published
4 at Fort Madison, Iowa, and the Daily Gate City, a newspaper
5 published at Keokuk, Iowa.

EXPLANATION OF H. F. 551

Legislatures are always on the alert to devise methods for the improvement of legislative processes and procedure. The purpose of this bill is to create a permanent legislative council with an adequate research department to study methods for that very purpose. Also, to study plans for increasing the efficiency and reducing the cost of state government and its political subdivisions; to consider matters affecting the general welfare of the state; to examine legislative proposals submitted to it by members of the general assembly, and to furnish such members progress reports of the activities of the council; to organize an adequate research department staffed with skilled personnel, and made available to members of the general assembly; also, to furnish said members competent bill drafting service, both prior to and during sessions. Further, to prepare legislative proposals to be submitted at the next regular legislative session, and to furnish each member of the general assembly a copy thereof at least twenty (20) days prior to the convening of said session. And, finally, to provide ample funds to permit the council to function properly.