

January 19, 1951.  
Passed on File.

**Senate File 148**  
By McCARVILLE.

Passed Senate, Date.....

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

Passed House, 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 ten (10) senators to be appointed by the  
4 president of the senate and ten (10) representatives to be  
5 appointed by the speaker of the house of representatives  
6 before the close of the Fifty-fourth General Assembly, and  
7 during each regular session thereafter. Members of each  
8 political party appointed from the senate shall, so far as  
9 possible, be in proportion to the number of senators from each  
10 party in the senate, and members of each political party  
11 appointed from the house shall, so far as possible, be in  
12 proportion to the number of representatives from each party  
13 in the house. The president of the senate and the speaker  
14 of the house shall be ex-officio members. Vacancies in the  
15 appointive membership shall be filled in the same manner as

16 the original appointment. A chairman and a vice-chairman shall  
17 be selected by the members. Subcommittees may be appointed  
18 from the membership by the chairman. The first meeting of the  
19 council shall be called by the president of the senate within  
20 ten (10) days of each adjournment of a regular session of the  
21 Assembly.

1 Sec. 2. The council shall function during the interim  
2 between the adjournment sine die or one regular session of the  
3 general assembly and the convening of the next succeeding  
4 regular legislative session. It shall be the duty of the council:  
5 (a) To collect information, conduct studies and prepare written  
6 reports on all matters submitted to it by the general assembly.  
7 (b) Any member of the general assembly shall have the right to  
8 submit written legislative proposals to the council, and it  
9 shall be the duty of the council to give such proposals the  
10 consideration which it deems they merit. (c) To study the  
11 matter of improving legislative processes and procedure.  
12 (d) To conduct studies of questions of public policy, issues  
13 of statewide public interest, matters relating to the general  
14 welfare of the state, and methods and procedures for increasing  
15 efficiency, effecting economies, and improving the administration  
16 of state government and any of its political subdivisions.  
17 (e) To accumulate and compile such information as the council  
18 may consider useful to the members of the general assembly,  
19 and to make the same available to said members. (f) To examine  
20 the effects of previously enacted statutes and recommend such

21 amendments thereto as the council deems advisable. (g) To  
22 prepare a legislative program as in the opinion of the council  
23 the welfare of the state may require, and submit the same to  
24 the next succeeding regular legislative session. The adoption  
25 of such program, or any part thereof, by the general assembly  
26 shall not be compulsory; neither shall any existing rights or  
27 privileges of any member thereof, with respect to the intro-  
28 duction of legislative bills or legislative matters, be  
29 restricted nor denied by reason of any provision of this Act.

1     Sec. 3. The council may receive messages, recommendations  
2 and proposals from the governor on such matters as he may submit  
3 to the council for study.

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 private,  
2 and make such investigations, examinations and studies as  
3 said council may deem necessary or helpful in any matter it  
4 has before it for study or consideration.

1     Sec. 6. In the discharge of any of the duties or functions  
2 of the council, the presiding officer of said council may issue  
3 a subpoena on behalf of and in the name of the council,  
4 requiring any person to appear before it and be examined with  
5 reference to any matter within the scope of inquiry or  
6 investigation being conducted by the council, and to bring

7 with him any books, documents, records and papers requested.  
8 In case of disobedience on the part of any person to comply  
9 with any subpoena issued in behalf of the council, or on  
10 refusal of any witness to testify to any matter regarding  
11 which he may be lawfully interrogated, it shall be the duty  
12 of the district court of any county, or of the judge thereof,  
13 on application of a member of the council, to compel obedience  
14 by proceedings for contempt, as in the case of disobedience of  
15 requirements of a subpoena issued from such court or a  
16 refusal to testify therein. Each witness who appears before  
17 the council by its order, other than a state officer or employee,  
18 shall receive for his attendance the fees and mileage allowed  
19 witnesses in civil cases in the district courts, which fees  
20 shall be audited and paid upon the presentation of proper  
21 vouchers sworn to by such witness and approved by the chairman  
22 of the council. The presiding officer of the council may  
23 administer an oath to a witness in any matter before it.

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

4 periodic reports to all members of the general assembly, keeping  
5 said members fully informed of all matters which have come before  
6 the council, the actions taken thereon, and the progress made in  
7 relation thereto. Any member of the general assembly shall have  
8 the right to attend any session of the council and present his  
9 or her views on any subject which the council may be considering,  
10 but he or she shall not have the right to participate or vote  
11 in any decision which the council may make.

1 Sec. 9. All reports, recommendations and programs of  
2 proposed legislation of the council to be submitted to the  
3 general assembly shall be completed and made public at least  
4 twenty (20) days prior to any session at which the same are to  
5 be submitted, and a copy thereof mailed to each member-elect  
6 of the general assembly and to each elective state officer,  
7 state officer-elect, and to the Iowa state law library.

1 Sec. 10. Members of the council, including ex-officio  
2 members, shall serve without compensation. All such members  
3 shall be paid actual expenses incurred while on business of  
4 the council, not exceeding fifteen dollars (\$15.00) per day.

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

8 fixed by the council.

1 Sec. 12. The duties and powers of the legislative research  
2 service shall be the following: (a) It shall serve as the  
3 research agency of the council. (b) It shall perform all other  
4 duties requested by the council. (c) It shall make research  
5 studies and reports requested by any member of the general  
6 assembly during the interim between regular legislative  
7 sessions, subject to the rules and regulations of the  
8 legislative council limiting the number of such requests each  
9 member may make, and provided further that such research  
10 studies do not interfere with research studies requested by the  
11 legislative council. (d) During any legislative session, it  
12 shall, when requested by a member of the general assembly,  
13 make research studies for such member. (e) It shall serve as  
14 the bill drafting agency of the legislative council. During a  
15 legislative session, it shall furnish bill drafting service to  
16 members of the general assembly. (f) It shall make reports of  
17 its activities to the legislative council, at the times and in  
18 the manner and form requested by said council, or prescribed in  
19 its rules and regulations.

1 Sec. 13. In any research study requiring the expert  
2 services of an outside person or organization, the council shall  
3 have authority to employ an outside person or organization to  
4 make the research, provided the council has funds available to  
5 pay the cost thereof. The council shall have authority to  
6 appoint advisory committees, the members of which shall serve

7 without compensation.

1 Sec. 14. Each department, board, commission and agency of  
2 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 issues.  
5 Each of said departments, boards, commissions and agencies is  
6 further required to make its records available to the legislative  
7 research service upon request of the director thereof or upon  
8 request of the legislative council.

1 Sec. 15. There is hereby appropriated from the general  
2 funds of the state the sum of twenty-five thousand dollars  
3 (\$25,000) annually, or so much thereof as may be necessary for  
4 carrying out the provisions of this act, to be disbursed on  
5 warrants drawn by the comptroller against such fund on  
6 requisitions signed by the chairman, or vice-chairman if acting  
7 as chairman, of the council.

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