

January 30, 1963.

House File 120

Consolidation and Coordination By NELSON, PETERSON of Woodbury,
of State Government. EDGINGTON, BOCK, HOUGEN,

WINKELMAN, PARKER, VAN ALSTINE,
JARVIS, LANGE, DIETZ, OSSIAN,
ROBINSON, HAKES, SCHERLE, KNOCK,
LOSS, DEN HERDER, and SMITH of O'Brien.

Passed House, Date..... Passed Senate, Date.....

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

Approved.....

A BILL FOR

An Act to create a legislative services council by combining
the services of fiscal director, legislative research and
codification in a single agency.

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

1 Section 1. There is hereby created a legislative services
2 council which is organized to consolidate the services of fiscal
3 management, legislative research and codification. The council
4 shall be under the supervision of the budget and financial control
5 committee. The committee shall appoint a director of legislative
6 services to serve at the pleasure of the committee and fix his
7 compensation, which together with any expenses incurred, shall be
8 paid from the contingent fund of the committee. The office of the
9 council and its divisions shall be located in the statehouse.
10 Office space shall be furnished by the executive council. All
11 other expenses and salaries shall be paid by the committee from
12 the said contingent fund. Expenses of the council shall be paid
13 upon the approval of the director.

1 Sec. 2. The legislative services council shall be divided
2 into two divisions; (1) a division of fiscal management and
3 legislative research and (2) a division of code revision. The
4 director and the division heads may cooperate with other states
5 to discuss mutual legislative and governmental problems.

1 Sec. 3. The division of fiscal management and legislative
2 research shall be under the direction of a supervisor.

1 Sec. 4. The duties of such director to be performed for the
2 budget and financial control committee and for the general assem-
3 bly when in session, in addition to performing the usual adminis-
4 trative duties pertaining to such office, shall be the following:

5 1. Make by continuous review of state expenditures, revenues
6 and analysis of budget through an audit and preaudit, if neces-
7 sary, or such other means deemed necessary to ascertain the facts,
8 compare cost, work-load and other data, and make recommendations
9 to the general assembly concerning the state's budget and revenue
10 of the departments, boards, commissions and agencies of the
11 state, and such other duties as shall be assigned to him by the
12 budget and financial control committee, or by the general assem-
13 bly, by statute or other method during its sessions.

14 2. Make such reports as may be required of him by either the
15 budget and financial control committee, or the general assembly.

16 3. Such director or his designated agents and employees shall
17 attend the biennial budget hearings required by section eight
18 point twenty-six (8.26) and may offer explanations or suggestions
19 and make inquiries with respect to such budget hearings. The
20 director and his staff shall furnish information and act in an
21 advisory capacity to the committees on appropriations, tax re-
22 vision and ways and means of the general assembly and their
23 several subcommittees when so requested.

1 Sec. 5. Such director or his designated agents and employees
2 shall at all times have access to all state offices, departments,
3 agencies, boards, bureaus and commissions, and to the books,
4 records, and other instrumentalities and property used in the

5 performance of their statutory duties, and all state offices,
6 departments, agencies, boards, bureaus, and commissions shall co-
7 operate with the supervisor in the performance of the foregoing
8 duty, and shall make available to him such books, records, in-
9 strumentalities, and property.

1 **Sec. 6.** Requests for research on governmental matters may be
2 made to the legislative services council by either house of the
3 general assembly, interim committees of the general assembly or
4 either house thereof, or upon petition by twenty or more members
5 of the general assembly. No research shall be conducted except on
6 approval of the budget and financial control committee. Any leg-
7 islative committee appointed for the session may request the
8 council to do research between sessions on any matter under con-
9 sideration by such committee. For each such request the budget
10 and financial control committee may, if deemed advisable, auth-
11 orize a joint advisory committee of legislators to assist the
12 council on such research study. When it authorizes such a com-
13 mittee, the budget and financial control committee shall request
14 from the president of the senate and the speaker of the house
15 designation of members from the senate and house, which members
16 shall comprise the joint advisory committee.

17 Each joint advisory committee shall be composed of seven mem-
18 bers to be selected as follows: the chairman of the designated
19 standing committee in the senate shall be a member and the chair-
20 man of the designated standing committee in the house shall be a
21 member. A chairman of a standing committee may decline to serve
22 on the committee. These selections shall include a member of the
23 minority party from each house. Research requests made between
24 sessions shall be in writing.

1 Sec. 7. The director may call upon any department, agency or
2 office in the state, or any political subdivision of the state,
3 for such information and assistance as may be needed in the per-
4 formance of the duties of the council and such information and
5 assistance shall be furnished insofar as the same shall be within
6 the resources and authority of such departments, agencies,
7 offices and political subdivisions.

8 The council may co-operate with other states and the federal
9 government in the exchange of research reports and materials.

1 Sec. 8. The code revision division shall be under the super-
2 vision of a code editor.

1 Sec. 9. The code editor shall serve on a full-time basis and
2 shall have the following powers and duties:

3 1. He shall be in charge of the bill drafting functions of the
4 council.

5 2. He may, through the director, submit such recommendations
6 as he deems proper to each general assembly for the purpose of
7 amending, revising, and codifying such portions of the law as may
8 be conflicting, redundant, or ambiguous.

9 3. He shall edit and compile the Code after each odd-numbered
10 session of the general assembly so that the same may be printed
11 as herein provided.

12 4. He shall prepare the manuscript copy, and cause to be
13 printed by the state superintendent of printing in each year in
14 which the Code is published, a volume which shall contain the per-
15 manent rules and regulations of general application, promulgated
16 by each state board, commission, bureau, division or department,
17 other than a court, having statewide jurisdiction and authority
18 to make such rules. The code editor may omit from said volume

19 all rules and regulations applying to professional and regula-
20 tory examining and licensing provisions and any rules and
21 regulations of limited application. The editor may make refer-
22 ence in the volume as to where said omitted rules and regula-
23 tions may be procured.

24 This volume shall be known as the Iowa departmental rules and
25 any rule printed therein may be cited as I.D.R.
26 giving the year of publication and the page where the particular
27 rule, by number, may be found.

28 The editor may provide cumulative, semiannual supplements for
29 insertion in the latest published volume and a place shall be pro-
30 vided in the binding of said volume for insertion of such supple-
31 ments.

32 5. He shall prepare the manuscript copy of all laws, Acts and
33 joint resolutions passed at each session of the general assembly,
34 and arrange the same in chapters with comprehensive index and in
35 such manner that each chapter will show the number of the house
36 or senate file, and cause the same to be printed by the superin-
37 tendent of printing. In so doing the code editor shall have the
38 right to the possession of the enrolled Acts and shall have sole
39 charge of the editing and proofreading notwithstanding the pro-
40 visions of section sixteen point three (16.3) of the Code.

1 Sec. 10. 1. The size, style, type, binding, general arrange-
2 ment and tables of the published Acts of the Forty-Ninth General
3 Assembly shall be substantially followed in the future publica-
4 tion of the session laws.

5 2. The Acts of each general assembly shall, as nearly as
6 possible, be arranged in said published volume in the same con-
7 secutive order in which the same or similar subject matters are

8 arranged in the Code.

9 3. The secretary of state shall prepare and deliver to the
10 code editor for insertion in each published volume of session
11 laws a correct list of state officers and deputies, judges of the
12 supreme, district, superior and municipal courts and members of
13 the general assembly.

14 4. There shall also be inserted in each volume of the session
15 laws, the statement of the condition of the state treasury as
16 provided by the constitution. Said statement shall be furnished
17 by the state comptroller.

18 5. The chief clerk of the house and secretary of the senate
19 shall make arrangements whereby the code editor will receive
20 suitable copies of all Acts and resolutions as soon as the same
21 are enrolled.

1 Sec. 11. In the preparation of the Code the code editor shall
2 have the right to the possession of the enrolled Acts.

1 Sec. 12. The Code shall be prepared and published substan-
2 tially in the following form and style:

3 1. The printing of the text shall be in double columns from
4 type forms thirty-six picas wide by fifty-four picas high and in
5 eight-point type on a nine-point base with spacing of approxi-
6 mately six points between sections.

7 2. The chapters shall be numbered consecutively (commencing
8 with number one) and without regard to titles.

9 3. Each section shall be indicated by a number printed in
10 bold-face type.

11 4. Each section shall have appropriate catchwords printed in
12 bold-face type contrasting with the text and followed immediately
13 by the first word of the section.

14 5. Proper historical references shall immediately follow the
15 last word of each section.

16 6. The Code provided for herein shall include:

17 a. An analysis of the Code by titles and chapters.

18 b. The Declaration of Independence.

19 c. Articles of Confederation.

20 d. The Constitution of the United States.

21 e. Laws of the United States relating to citizenship,
22 naturalization, and the authentication of records.

23 f. The Constitution of Iowa.

24 g. The Act admitting Iowa into the union as a state.

25 h. Chapter analysis at the head of each chapter.

26 i. All of the statutes of Iowa of a general and permanent
27 nature.

28 j. The rules of the supreme court.

29 k. An index covering the Constitution and statutes of the
30 state of Iowa and the rules of the supreme court.

31 7. The code editor may insert under any section a reference
32 to any other related section or subject matter.

33 8. The Code shall be printed upon a good quality of paper and
34 bound in good grade of buckram to specifications prepared by the
35 state printing board.

1 Sec. 13. The code editor in preparing the copy for an edition
2 of the Code shall have power to:

3 1. Correct therein all misspelled words in the original en-
4 rollments.

5 2. Correct all manifest grammatical and clerical errors in-
6 cluding punctuation but without changing the meaning.

7 3. Transpose sections or to divide sections so as to give to

8 distinct subject matters a section number but without changing the
9 meaning.

1 Sec. 14. When any Act of the general assembly subsequent to
2 the issuance of the Code of 1924 contains in the substantive part
3 of the Act a reference to a section of the Code and designates
4 such section by such reference as "Code 1924", "Code 1927", "Code
5 1931", etc., or the equivalent thereof, the code editor is directed
6 in the preparation of the ensuing Code to omit the year in-
7 dicated by such reference.

1 Sec. 15. A new Code shall be issued as soon as possible after
2 the final adjournment of each odd-numbered regular session of the
3 general assembly. The code editor shall, immediately after the
4 issuance of a new Code, prepare copy for the ensuing Code, and at
5 all times keep the same revised to date in the files of his
6 office. The printing board shall cause such Code to be printed
7 and bound at the time required by law but the proofreading on
8 such Code shall be solely under the direction and control of the
9 Code editor.

1 Sec. 16. All new editions of the Code shall be so prepared
2 and printed that each section of the general statute law shall
3 appear in said new edition in its new or finally revised and
4 amended form. All sections of law of a general and permanent
5 nature enacted after the last preceding Code shall be inserted in
6 each new edition in such logical order as the Code editor may
7 determine.

8 All new editions of the Code may be printed in one or two or
9 more volumes as shall be determined by the budget and financial
10 control committee.

1 Sec. 17. The permanent Code published subsequent to the

2 adjournment of the extra session of the Fortieth General Assembly
 3 shall be known and cited as "The Code....." giving year of
 4 edition of such Code.

1 Sec. 18. The session laws of each general assembly shall be
 2 known and cited as "..... General Assembly, Chapter
 3, Section" (inserting the appropriate
 4 number).

1 Sec. 19. All prior Codes and supplements shall be cited by
 2 the year in which published.

1 Sec. 20. The Code and session laws published under authority
 2 of the state shall continue the only authoritative publications
 3 of the statutes of this state. No other publications of the
 4 statutes of the state shall be cited in the courts or in the re-
 5 ports or rules thereof.

1 Sec. 21. The printing board may cause to be printed from time
 2 to time, in the form of leaflets, folders, or pamphlets and in
 3 such numbers as the board deems reasonable, parts of the Code for
 4 the use of public officers. Such orders shall be limited to
 5 actual needs as shown by experience or other competent proof, and
 6 the printing shall, as far as practicable, be done from the
 7 plates or slugs from which the Code has been printed.

1 Sec. 22. There is hereby appropriated out of any money in the
 2 treasury not otherwise appropriated an amount sufficient to de-
 3 fray all expenses incurred in the publishing of the volumes re-
 4 quired by this Act and employment of extra employees therefor, but
 5 before any obligations for expenditure from this appropriation
 6 shall be incurred the same shall be approved by the chairman of
 7 the budget and financial control committee.

1 Sec. 23. Section three point one (3.1), Code 1962, is amended

2 by striking from lines three (3) and four (4) of subsection three
3 (3) the words "reporter of the supreme court" and inserting in
4 lieu thereof the words "code editor".

1 Sec. 24. Section fourteen point three (14.3), Code 1962, is
2 amended by striking from line two (2) the words "shall be editor
3 of the Code and his".

4 Further amend said section by striking subsections one (1), two
5 (2), five (5) and seven (7).

1 Sec. 25. Section sixteen point twenty-four (16.24), Code 1962,
2 is amended by striking from lines two (2) and three (3) of sub-
3 section fifteen (15) the words "and Code editor" and inserting in
4 lieu thereof the words "and to the legislative services council
5 and the divisions thereof".

1 Sec. 26. Section sixteen point twenty-five (16.25), Code 1962,
2 is amended by striking from line two (2) of subsection ten (10)
3 the words "and Code editor".

4 Further amend said section by adding at the end thereof a new
5 subsection as follows:

6 "To the legislative services council 6 copies".

1 Sec. 27. Section sixteen point twenty-eight (16.28), Code
2 1962, is amended by adding a new subsection as follows:

3 "To the legislative services council 3 copies".

1 Sec. 28. Section sixteen point twenty-seven (16.27), Code
2 1962, is hereby repealed.

1 Sec. 29. Sections fourteen point four (14.4) and fourteen
2 point nine (14.9) to fourteen point twenty-one (14.21), inclu-
3 sive, Code 1962, are hereby repealed.

1 Sec. 20. Section two point forty-four (2.44), Code 1962, is
2 amended by striking from lines one (1) and two (2) of subsection

3 two (2) the words "at the office of the state comptroller or".

4 Further amend said section by striking the last sentence from
5 subsection eight (8).

1 Sec. 31. All books, records and equipment heretofore used in
2 editing and publishing the Code, session laws, and departmental
3 rules are hereby transferred to the office of code editor created
4 by this Act.

1 Sec. 32. Sections two point forty-six (2.46) to two point
2 sixty-two (2.62), inclusive, are hereby repealed.

1 Sec. 33. All books, records and equipment heretofore used by
2 the legislative research bureau are hereby transferred to the
3 office of the legislative services council created by this Act.

EXPLANATION OF HOUSE FILE 120

In an effort to produce greatly improved services, for the legislature, at less "unit" cost this bill would coordinate the legislative services into one branch, prescribe the duties and abolish the three different agencies.