

APR 7 2005
ADMINISTRATION & RULES

HOUSE FILE 845
BY GIPP and MURPHY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to appointments by members of the general
2 assembly to statutory boards, commissions, councils, and
3 committees, abolishing certain related entities, and including
4 effective date and applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 845

HOUSE FILE 845

H-1411

- 1 Amend House File 845 as follows:
- 2 1. Page 3, by striking lines 2 through 30.
- 3 2. By renumbering as necessary.

COMMITTEE ON ADMINISTRATION AND RULES
ROBERTS of Carroll, CHAIRPERSON

H-1411 FILED APRIL 19, 2005

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1 Section 1. NEW SECTION. 2.32A APPOINTMENTS BY MEMBERS OF
2 THE GENERAL ASSEMBLY TO STATUTORY BOARDS, COMMISSIONS,
3 COUNCILS, AND COMMITTEES.

4 1. A member of the general assembly who is charged with
5 making an appointment to a statutory board, commission,
6 council, or committee shall make the appointment in accordance
7 with section 69.16B. If multiple appointing members are
8 charged with making appointments of public members to the same
9 board, commission, council, or committee, including as
10 provided in sections 333A.2 and 455A.8, the appointing members
11 shall consult with one another in making the appointments.

12 2. Each appointing member shall inform each appointee and
13 each affected board, commission, council, or committee of the
14 appointment and of the term of the appointment.

15 3. Each appointing member shall also inform the secretary
16 of the senate and the chief clerk of the house, as
17 appropriate, and the director of the legislative services
18 agency of the appointment. The legislative services agency
19 shall maintain an up-to-date listing of all appointments made
20 or to be made by members of the general assembly.

21 Sec. 2. Section 2.45, subsection 5, Code 2005, is amended
22 by striking the subsection.

23 Sec. 3. Section 2A.4, Code 2005, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 12. Maintenance of an up-to-date listing
26 of all appointments made or to be made by members of the
27 general assembly as required by section 2.32A and in
28 accordance with section 69.16B. The legislative services
29 agency may post on the general assembly's internet website
30 information regarding the organization and activities of
31 boards, commissions, councils, and committees to which members
32 of the general assembly make appointments.

33 Sec. 4. Section 2D.3, Code 2005, is amended to read as
34 follows:

35 2D.3 LEGISLATIVE BRANCH PROTOCOL OFFICER.

1 The legislative services agency shall employ a legislative
2 branch protocol officer to coordinate activities related to
3 state, national, and international visitors to the state
4 capitol or with an interest in the general assembly, and
5 related to travel of members of the general assembly abroad.
6 ~~The protocol officer shall serve in a consultative capacity~~
7 ~~and shall provide staff support to the international relations~~
8 ~~advisory council.~~ The protocol officer shall also work with
9 the executive branch protocol officer to coordinate state,
10 national, and international relations activities. The
11 legislative branch protocol officer shall submit periodic
12 reports to the international relations committee of the
13 legislative council regarding the visits of state, national,
14 and international visitors and regarding international
15 activities.

16 Sec. 5. Section 2D.4, Code 2005, is amended to read as
17 follows:

18 2D.4 EXECUTIVE BRANCH PROTOCOL OFFICER.

19 The lieutenant governor, or the lieutenant governor's
20 designee, shall be the executive branch protocol officer. The
21 ~~protocol officer shall serve in a consultative capacity to the~~
22 ~~international relations advisory council.~~ The protocol
23 officer shall work with the international relations committee
24 of the legislative council and the legislative branch protocol
25 officer in developing and implementing protocol for state,
26 national, and international visitors to the state capitol and
27 in improving coordination between the legislative and
28 executive branches in international relations activities.

29 Sec. 6. Section 7E.7, subsection 1, Code 2005, is amended
30 to read as follows:

31 1. The Iowa finance authority ~~and the Iowa economic~~
32 ~~protective and investment authority~~ shall be considered parts
33 part of the Iowa department of economic development. The Iowa
34 department of economic development may provide staff
35 assistance and administrative support to the authorities

1 authority.

2 Sec. 7. Section 8A.121, subsection 2, paragraph b, Code
3 2005, is amended to read as follows:

4 b. If the department determines that it shall be the sole
5 provider of a service, the department shall establish, by
6 rule, a customer council responsible for overseeing
7 departmental operations with regard to the service provided to
8 ensure that the department meets the needs of affected
9 governmental entities and the citizens those entities serve.
10 The rules adopted shall provide, at a minimum, for the method
11 of appointment of members to the council by governmental
12 entities required to receive the service from the department
13 and for the powers and duties of the council as it relates to
14 the service provided, which shall include the authority of
15 approving, on an annual basis, business plans submitted by the
16 department for performance of the service, the procedure for
17 resolving complaints concerning the service provided, and the
18 procedure for setting rates for the service. In addition, if
19 the service to be provided may also be provided to the
20 judicial branch ~~and legislative branch, then~~ the rules shall
21 provide that the chief justice of the supreme court ~~and the~~
22 ~~legislative council~~ may, in ~~their~~ the chief justice's
23 discretion, ~~each~~ appoint a member to the applicable customer
24 council. If the service to be provided may also be provided
25 to the legislative branch, the rules shall allow
26 representatives of the senate, house of representatives,
27 legislative services agency, and office of citizens' aide to
28 provide information to and seek information from the customer
29 council prior to the customer council's action that may affect
30 the legislative branch.

31 Sec. 8. Section 8A.204, subsection 1, paragraph a, Code
32 2005, is amended to read as follows:

33 a. The information technology council is composed of
34 ~~fourteen~~ ten members including the following:

35 (1) The chairperson of the IowaAccess advisory council

1 established in section 8A.221, or the chairperson's designee.

2 (2) Two executive branch department heads appointed by the
3 governor.

4 (3) Six persons appointed by the governor who are
5 knowledgeable in information technology matters.

6 (4) One person representing the judicial branch appointed
7 by the chief justice of the supreme court who shall serve in
8 an ex officio, nonvoting capacity.

9 ~~(5) Four members of the general assembly with not more
10 than one member from each house being from the same political
11 party. The two senators shall be designated by the president
12 of the senate after consultation with the majority and
13 minority leaders of the senate. The two representatives shall
14 be designated by the speaker of the house of representatives
15 after consultation with the majority and minority leaders of
16 the house of representatives. Legislative members shall serve
17 in an ex officio, nonvoting capacity. A legislative member is
18 eligible for per diem and expenses as provided in section
19 2-10.~~

20 The information technology council shall allow
21 representatives of the senate, house of representatives,
22 legislative services agency, and office of citizens' aide to
23 provide information to and seek information from the council.

24 Sec. 9. Section 8A.221, subsection 3, paragraph a, Code
25 2005, is amended to read as follows:

26 a. The advisory council shall be composed of nineteen
27 fourteen members including the following:

28 (1) Five persons appointed by the governor representing
29 the primary customers of IowaAccess.

30 (2) ~~Six~~ Five persons representing lawful custodians as
31 follows:

32 ~~(a) One person representing the legislative branch, who~~
33 ~~shall not be a member of the general assembly, to be appointed~~
34 ~~jointly by the president of the senate, after consultation~~
35 ~~with the majority and minority leaders of the senate, and by~~

1 ~~the-speaker-of-the-house-of-representatives,-after~~
2 ~~consultation-with-the-majority-and-minority-leaders-of-the~~
3 ~~house-of-representatives-~~

4 {b} (a) One person representing the judicial branch as
5 designated by the chief justice of the supreme court.

6 {c} (b) One person representing the executive branch as
7 designated by the governor.

8 {d} (c) One person to be appointed by the governor
9 representing cities who shall be actively engaged in the
10 administration of a city.

11 {e} (d) One person to be appointed by the governor
12 representing counties who shall be actively engaged in the
13 administration of a county.

14 {f} (e) One person to be appointed by the governor
15 representing the federal government.

16 (3) Four members to be appointed by the governor
17 representing a cross section of the citizens of the state.

18 ~~{4}--Four-members-of-the-general-assembly,-two-from-the~~
19 ~~senate-and-two-from-the-house-of-representatives,-with-not~~
20 ~~more-than-one-member-from-each-chamber-being-from-the-same~~
21 ~~political-party.--The-two-senators-shall-be-designated-by-the~~
22 ~~president-of-the-senate-after-consultation-with-the-majority~~
23 ~~and-minority-leaders-of-the-senate.--The-two-representatives~~
24 ~~shall-be-designated-by-the-speaker-of-the-house-of~~
25 ~~representatives-after-consultation-with-the-majority-and~~
26 ~~minority-leaders-of-the-house-of-representatives.--Legislative~~
27 ~~members-shall-serve-in-an-ex-officio,-nonvoting-capacity.--A~~
28 ~~legislative-member-is-eligible-for-per-diem-and-expenses-as~~
29 ~~provided-in-section-2-10-~~

30 The advisory council shall allow representatives of the
31 senate, house of representatives, legislative services agency,
32 and office of citizens' aide to provide information to and
33 seek information from the advisory council.

34 Sec. 10. Section 12.28, subsection 1, paragraph b, Code
35 2005, is amended to read as follows:

1 b. "State agency" means a board, commission, bureau,
2 division, office, department, or branch of state government.
3 However, state agency does not mean the state board of
4 regents, institutions governed by the board of regents, or
5 authorities created under chapter 16, ~~16A~~ 175, 257C, 261A, or
6 327I.

7 Sec. 11. Section 12.30, subsection 1, paragraph a, Code
8 2005, is amended to read as follows:

9 a. "Authority" means a department, or public or quasi-
10 public instrumentality of the state including, but not limited
11 to, the authority created under chapter 12E, 16, ~~16A~~ 175,
12 257C, 261A, or 327I, which has the power to issue obligations,
13 except that "authority" does not include the state board of
14 regents or the Iowa finance authority to the extent it acts
15 pursuant to chapter 260C.

16 Sec. 12. Section 13B.2A, Code 2005, is amended to read as
17 follows:

18 13B.2A INDIGENT DEFENSE ADVISORY COMMISSION.

19 An indigent defense advisory commission is established
20 within the department to advise and make recommendations to
21 the legislature and the state public defender regarding the
22 hourly rates paid to court-appointed counsel and per case fee
23 limitations. These recommendations shall be consistent with
24 the constitutional requirement to provide effective assistance
25 of counsel to those indigent persons for whom the state is
26 required to provide counsel.

27 The advisory commission shall consist of five seven
28 members. The governor shall appoint three members, including
29 one member from nominations by the Iowa state bar association
30 and one member from nominations by the supreme court. Two
31 Four members, one two from each chamber of the general
32 assembly, shall be appointed, with no more than one appointed
33 from the same political party from each chamber. Each member
34 shall serve a three-year term, with initial terms to be
35 staggered, except that legislative members shall serve for

1 terms as provided in section 69.16B. No more than three
2 members shall be licensed to practice law in Iowa. The state
3 public defender shall serve as an ex officio member of the
4 commission and shall serve as the nonvoting chair of the
5 commission.

6 The members of the commission are entitled to receive
7 reimbursement for actual expenses incurred as provided for in
8 section 7E.6, subsection 2, while engaged in the performance
9 of the duties of the commission. A legislative member is
10 eligible for per diem and expenses as provided in section
11 2.10.

12 The advisory commission shall file a written report every
13 three years with the governor and the general assembly by
14 January 1 of a year in which a report is due regarding the
15 recommendations and activities of the commission. The first
16 such report shall be due on January 1, 2003.

17 Sec. 13. Section 15E.63, subsection 2, Code 2005, is
18 amended to read as follows:

19 2. The board shall consist of five voting members and ~~two~~
20 four nonvoting advisory members. The five voting members
21 shall be appointed by the governor and confirmed by the senate
22 pursuant to section 2.32. The five voting members shall be
23 appointed to five-year staggered terms that shall be
24 structured to allow the term of one member to expire each
25 year. One nonvoting member shall be appointed by the majority
26 leader of the senate after consultation with the president of
27 the senate and the minority leader of the senate and one
28 nonvoting member shall be appointed by the minority leader of
29 the senate after consultation with the president and the
30 majority leader of the senate. ~~One~~ Two nonvoting ~~member~~
31 members shall be appointed by the speaker of the house of
32 representatives after consultation with the majority and
33 minority leaders of the house of representatives. The
34 nonvoting members shall ~~be-appointed-for-two-year~~ serve terms
35 ~~which-shall-expire-upon-the-convening-of-a-new-general~~

1 assembly as provided in section 69.16B. Vacancies shall be
2 filled in the same manner as the appointment of the original
3 members. Members shall be compensated by the board for direct
4 expenses and mileage but members shall not receive a
5 director's fee, per diem, or salary for service on the board.
6 Members shall be selected based upon demonstrated expertise
7 and competence in the supervision of investment managers, in
8 the fiduciary management of investment funds, or in the
9 management and administration of tax credit allocation
10 programs. Members shall not have an interest in any person to
11 whom a tax credit is allocated and issued by the board.

12 Sec. 14. Section 17A.8, subsection 2, Code 2005, is
13 amended to read as follows:

14 2. A committee member shall be appointed prior to the
15 adjournment convening of a the first regular session convened
16 in-an-odd-numbered-year of each general assembly. The term of
17 office shall be for-four-years as provided in section 69.16B
18 beginning May-1-of-the-year-of-appointment upon the convening
19 of the first regular session of each general assembly.

20 However, a member shall serve until a successor is appointed.
21 A vacancy on the committee shall be filled by the original
22 appointing authority for the remainder of the term. A vacancy
23 shall exist whenever a committee member ceases to be a member
24 of the house from which the member was appointed.

25 Sec. 15. Section 18A.2, subsections 2 and 3, Code 2005,
26 are amended to read as follows:

27 2. The legislative members of the commission shall be
28 appointed to four-year terms of office, two of which shall
29 expire every two years as provided in section 69.16B, unless
30 sooner terminated by a commission member ceasing to be a
31 member of the general assembly. Vacancies shall be filled by
32 appointment of the speaker of the house or the president of
33 the senate, after consultation with the majority leader and
34 the minority leader of the senate, as the case may be, for the
35 unexpired term of their predecessors.

1 3. The term of office of each appointive voting member of
2 the commission shall begin on the first of May of the odd-
3 numbered year in which the member is appointed.

4 Sec. 16. Section 28.3, subsection 4, Code 2005, is amended
5 to read as follows:

6 4. In addition to the voting members, the Iowa board shall
7 include ~~six~~ four members of the general assembly with not more
8 than ~~two-members~~ one member from each chamber being from the
9 same political party. The ~~three~~ two senators shall be
10 appointed by the majority leader of the senate after
11 consultation with the president of the senate and the minority
12 leader of the senate. The ~~three~~ two representatives shall be
13 appointed by the speaker of the house of representatives after
14 consultation with the majority and minority leaders of the
15 house of representatives. Legislative members shall serve in
16 an ex officio, nonvoting capacity. A legislative member is
17 eligible for per diem and expenses as provided in section
18 2.10.

19 Sec. 17. NEW SECTION. 69.16B APPOINTMENTS BY MEMBERS OF
20 GENERAL ASSEMBLY TO STATUTORY BOARDS, COMMISSIONS, COUNCILS,
21 AND COMMITTEES -- TERMS.

22 Unless otherwise specifically provided by law, an
23 appointment to a statutory board, commission, council, or
24 committee made by a member or members of the general assembly
25 pursuant to section 2.32A shall be at the pleasure of the
26 appointing member but in no event for longer than a two-year
27 term which shall expire upon the convening of the following
28 general assembly, or when the appointee's successor is
29 appointed, whichever occurs later. Unless otherwise provided,
30 a vacancy exists if a member of the general assembly serving
31 on a statutory board, commission, council, or committee ceases
32 to be a member of the general assembly. A vacancy shall be
33 filled for the unexpired portion of the term in the same
34 manner as the original appointment.

35 Sec. 18. Section 80B.6, unnumbered paragraph 2, Code 2005,

1 is amended to read as follows:

2 One senator appointed by the president of the senate after
3 consultation with the majority leader and the minority leader
4 of the senate ~~and one representative~~, one senator appointed by
5 the minority leader of the senate after consultation with the
6 president and the majority leader of the senate, and two
7 representatives appointed by the speaker of the house after
8 consultation with the majority and minority leaders of the
9 house of representatives are also ex officio, nonvoting
10 members of the council who shall serve terms as provided in
11 section 69.16B.

12 Sec. 19. Section 216A.53, Code 2005, is amended to read as
13 follows:

14 216A.53 TERM OF OFFICE.

15 Four of the members appointed to the initial commission
16 shall be designated by the governor to serve two-year terms,
17 and five shall be designated by the governor to serve four-
18 year terms. The legislative members of the commission shall
19 be appointed to ~~four-year~~ terms of office, ~~two of which shall~~
20 ~~expire every two years~~ as provided in section 69.16B, unless
21 sooner terminated by a commission member ceasing to be a
22 member of the general assembly. Succeeding appointments of
23 voting members shall be for a term of four years. Vacancies
24 in the membership shall be filled for the unexpired term in
25 the same manner as the original appointment.

26 Sec. 20. Section 216A.132, unnumbered paragraph 3, Code
27 2005, is amended to read as follows:

28 The chief justice of the supreme court shall appoint two
29 additional members currently serving as district judges. Two
30 members of the senate and two members of the house of
31 representatives shall be ex officio members and shall be
32 appointed by the majority and minority leaders of the senate
33 and the speaker and minority leader of the house of
34 representatives pursuant to section 69.16 and shall serve
35 terms as provided in section 69.16B. Members Nonlegislative

1 members appointed pursuant to this paragraph shall serve for
2 four-year terms beginning and ending as provided in section
3 69.19 unless the member ceases to serve as a district court
4 judge ~~or as a member of the senate or of the house of~~
5 representatives.

6 Sec. 21. Section 225C.5, subsection 1, paragraph j, Code
7 2005, is amended to read as follows:

8 j. In addition to the voting members, the membership shall
9 include four members of the general assembly with one member
10 designated by each of the following: the majority leader of
11 the senate, the minority leader of the senate, the speaker of
12 the house of representatives, and the minority leader of the
13 house of representatives. A legislative member serves for a
14 term as provided in section 69.16B in an ex officio, nonvoting
15 capacity and is eligible for per diem and expenses as provided
16 in section 2.10.

17 Sec. 22. Section 225C.48, subsection 1, Code 2005, is
18 amended to read as follows:

19 1. An eleven-member personal assistance and family support
20 services council is created in the department. The members of
21 the council shall be appointed by the ~~following officials as~~
22 ~~follows: governor, five members, majority leader of the~~
23 ~~senate, three members, and speaker of the house, three~~
24 members. At least three five of the governor's appointments
25 ~~and one of each legislative chamber's appointments~~ shall be a
26 family member of an individual with a disability as defined in
27 section 225C.47. At least five one of the members shall be
28 ~~consumers~~ a consumer of personal services. Members shall
29 serve for three-year staggered terms. A vacancy on the
30 council shall be filled in the same manner as the original
31 appointment. The members of the council shall be entitled to
32 reimbursement of actual and necessary expenses incurred in the
33 performance of their official duties. The council shall elect
34 officers from among the council's members.

35 Sec. 23. Section 231.12, Code 2005, is amended to read as

1 follows:

2 231.12 TERMS.

3 All members of the commission appointed by the governor
4 shall be appointed for terms of four years, with staggered
5 expiration dates. The terms of office of members appointed by
6 the governor shall commence and end as provided by section
7 69.19. Members of the commission appointed by the president
8 of the senate and the speaker of the house of representatives
9 shall serve terms of office as provided in section 69.16B. A
10 vacancy on the commission shall be filled for the unexpired
11 term of the vacancy in the same manner as the original
12 appointment was made. If a legislative member ceases to be a
13 member of the general assembly the legislative member may
14 continue to serve until a successor is appointed.

15 Sec. 24. Section 237A.21, subsection 3, paragraph m, Code
16 2005, is amended to read as follows:

17 m. ~~Two~~ Four legislators appointed in a manner so that both
18 chambers and both major political parties are represented.

19 Sec. 25. Section 249A.4, subsection 8, unnumbered
20 paragraph 1, Code 2005, is amended to read as follows:

21 Shall advise and consult at least semiannually with a
22 council composed of the presidents of the following
23 organizations, or a president's representative who is a member
24 of the organization represented by the president: the Iowa
25 medical society, the Iowa osteopathic medical association, the
26 Iowa academy of family physicians, the Iowa chapter of the
27 American academy of pediatrics, the Iowa physical therapy
28 association, the Iowa dental association, the Iowa nurses
29 association, the Iowa pharmacy association, the Iowa podiatric
30 medical society, the Iowa optometric association, the Iowa
31 association of community providers, the Iowa psychological
32 association, the Iowa psychiatric society, the Iowa chapter of
33 the national association of social workers, the Iowa hospital
34 association, the Iowa association of rural health clinics, the
35 opticians' association of Iowa, inc., the Iowa association of

1 hearing health professionals, the Iowa speech and hearing
2 association, the Iowa health care association, the Iowa
3 association for home care, the Iowa council of health care
4 centers, the Iowa physician assistant society, the Iowa
5 association of nurse practitioners, the Iowa occupational
6 therapy association, the Iowa association of homes and
7 services for the aging, the ARC of Iowa which was formerly
8 known as the association for retarded citizens of Iowa, the
9 alliance for the mentally ill of Iowa, Iowa state association
10 of counties, and the governor's developmental disabilities
11 council, together with one person designated by the Iowa
12 chiropractic society; one state representative from each of
13 the two major political parties appointed by the speaker of
14 the house, one state senator from each of the two major
15 political parties appointed by the president of the senate,
16 after consultation with the majority leader and the minority
17 leader of the senate, each for a term of two years as provided
18 in section 69.16B; four public representatives, appointed by
19 the governor for staggered terms of two years each, none of
20 whom shall be members of, or practitioners of, or have a
21 pecuniary interest in any of the professions or businesses
22 represented by any of the several professional groups and
23 associations specifically represented on the council under
24 this subsection, and at least one of whom shall be a recipient
25 of medical assistance; the director of public health, or a
26 representative designated by the director; the dean of Des
27 Moines university -- osteopathic medical center, or a
28 representative designated by the dean; and the dean of the
29 university of Iowa college of medicine, or a representative
30 designated by the dean.

31 Sec. 26. Section 252B.18, subsection 1, paragraph b, Code
32 2005, is amended to read as follows:

33 b. The legislative members of the committee shall be
34 appointed by the majority leader of the senate, after
35 consultation with the president ~~of-the-senate~~, and the

1 minority leader of the senate, and by the speaker of the house
2 of representatives, after consultation with the majority
3 leader and the minority leader of the house of
4 representatives. ~~Members~~ Nonlegislative members shall serve
5 staggered terms of two years. Appointments shall comply with
6 sections 69.16 and 69.16A. Vacancies shall be filled by the
7 original appointing authority and in the manner of the
8 original appointments.

9 Sec. 27. Section 256.32, subsections 2 and 4, Code 2005,
10 are amended to read as follows:

11 2. The council may also include as ex officio members the
12 following persons, as determined by the voting members of the
13 council:

14 a. The state future farmers of America president.

15 b. The current state future farmers of America alumni
16 association president.

17 c. The current postsecondary agriculture students
18 president.

19 d. The current young farmers educational association
20 president.

21 e. A state consultant in agricultural education.

22 f. The secretary of agriculture or the secretary's
23 designee.

24 g. ~~A-member~~ Two members of each house of the general
25 assembly. This membership shall be bipartisan in composition
26 and one member each shall be selected by the president of the
27 senate, after consultation with the majority leader and the
28 minority leader of the senate, and by the minority leader of
29 the senate, after consultation with the president and the
30 majority leader of the senate, and two members shall be
31 selected by the speaker of the house of representatives, after
32 consultation with the majority and minority leaders of the
33 house of representatives.

34 4. The term of membership is three years. The terms shall
35 be staggered so that three of the terms end each year, but no

1 member serving on the initial council shall serve less than
2 one year. The governor shall determine the length of the
3 initial terms of office. However, the terms of office for
4 members of the general assembly shall be as provided in
5 section 69.16B.

6 Sec. 28. Section 261.1, subsections 3 and 4, Code 2005,
7 are amended to read as follows:

8 3. ~~A-member~~ Two members of the senate, one to be appointed
9 by the president of the senate, after consultation with the
10 majority leader and the minority leader of the senate, and one
11 to be appointed by the minority leader of the senate, after
12 consultation with the president and majority leader of the
13 senate, to serve as an ex officio nonvoting member members for
14 ~~a-term-of-four-years-beginning-on-July-1-of-the-year-of~~
15 appointment terms as provided in section 69.16B.

16 4. ~~A-member~~ Two members of the house of representatives to
17 be appointed by the speaker of the house of representatives,
18 after consultation with the majority and minority leaders of
19 the house of representatives to serve as an ex officio
20 nonvoting member members for ~~a-term-of-four-years-beginning-on~~
21 ~~July-1-of-the-year-of-appointment~~ terms as provided in section
22 69.16B.

23 Sec. 29. Section 272B.2, Code 2005, is amended to read as
24 follows:

25 272B.2 EDUCATION COMMISSION OF THE STATES.

26 Article III, paragraph 1, of the compact notwithstanding,
27 the members of the education commission of the states
28 representing this state consist of the governor, two
29 nonlegislative members appointed by the governor, two members
30 of the senate appointed by the majority leader of the senate,
31 and two members of the house of representatives appointed by
32 the speaker of the house of representatives. ~~The~~
33 Nonlegislative members shall serve four-year terms and
34 legislative members shall serve terms as provided in section
35 69.16B. Nonlegislative members shall serve on the education

1 commission of the states without compensation, but shall
2 receive their actual and necessary expenses and travel.
3 Legislative members shall receive actual and necessary
4 expenses and travel pursuant to sections 2.10 and 2.12.
5 Vacancies on the commission shall be filled for the unexpired
6 portion of the term in the same manner as the original
7 appointments. If a member ceases to be a member of the
8 general assembly, the member shall no longer serve as a member
9 of the education commission of the states.

10 Sec. 30. Section 333A.2, subsection 1, paragraph d, Code
11 2005, is amended to read as follows:

12 d. An operations research analyst experienced in cost
13 effectiveness analysis of county services appointed jointly
14 ~~by, and to serve at the pleasure of, the legislative council~~
15 the majority and minority leaders of the senate and the
16 speaker of the house of representatives, after consultation by
17 the speaker with the minority leader of the house of
18 representatives.

19 Sec. 31. Section 384.13, unnumbered paragraph 1, Code
20 2005, is amended to read as follows:

21 As used in this division, unless the context otherwise
22 requires, "committee" means the city finance committee and
23 "director" means the director of the department of management.
24 ~~A nine-member~~ An eight-member city finance committee is
25 created. Members of the committee are:

26 Sec. 32. Section 384.13, subsection 5, Code 2005, is
27 amended by striking the subsection.

28 Sec. 33. Section 455A.8, subsection 1, Code 2005, is
29 amended to read as follows:

30 1. The Brushy creek recreation trails advisory board shall
31 be organized within the department and shall be composed of
32 ten members including the following: the director of the
33 department or the director's designee who shall serve as a
34 nonvoting ex officio member, the park ranger responsible for
35 the Brushy creek recreation area, a member of the state

1 appointments. To comply with provisions of the bill affecting
2 the number or length of appointments, terms of appointment
3 will end no later than two years hence.

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1 commission of the states without compensation, but shall
2 receive their actual and necessary expenses and travel.
3 Legislative members shall receive actual and necessary
4 expenses and travel pursuant to sections 2.10 and 2.12.
5 Vacancies on the commission shall be filled for the unexpired
6 portion of the term in the same manner as the original
7 appointments. If a member ceases to be a member of the
8 general assembly, the member shall no longer serve as a member
9 of the education commission of the states.

10 Sec. 30. Section 333A.2, subsection 1, paragraph d, Code
11 2005, is amended to read as follows:

12 d. An operations research analyst experienced in cost
13 effectiveness analysis of county services appointed jointly
14 ~~by, and to serve at the pleasure of, the legislative council~~
15 the majority and minority leaders of the senate and the
16 speaker of the house of representatives, after consultation by
17 the speaker with the minority leader of the house of
18 representatives.

19 Sec. 31. Section 384.13, unnumbered paragraph 1, Code
20 2005, is amended to read as follows:

21 As used in this division, unless the context otherwise
22 requires, "committee" means the city finance committee and
23 "director" means the director of the department of management.
24 ~~A nine-member~~ An eight-member city finance committee is
25 created. Members of the committee are:

26 Sec. 32. Section 384.13, subsection 5, Code 2005, is
27 amended by striking the subsection.

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29 amended to read as follows:

30 1. The Brushy creek recreation trails advisory board shall
31 be organized within the department and shall be composed of
32 ten members including the following: the director of the
33 department or the director's designee who shall serve as a
34 nonvoting ex officio member, the park ranger responsible for
35 the Brushy creek recreation area, a member of the state

1 advisory board for preserves established under chapter 465C, a
2 person appointed by the governor, ~~and six persons appointed by~~
3 ~~the legislative council~~ two persons appointed by the majority
4 leader of the senate, one person appointed by the minority
5 leader of the senate, and three persons appointed by the
6 speaker of the house of representatives after consultation
7 with the majority and minority leaders of the house of
8 representatives. Each person appointed by the governor or
9 ~~legislative council~~ by a member of the general assembly must
10 actively participate in recreational trail activities such as
11 hiking, an equestrian sport, or a winter sport at the Brushy
12 creek recreation area. The voting members shall elect a
13 chairperson at the board's first meeting each year.

14 Sec. 34. Section 514E.2, subsection 2, paragraph f, Code
15 2005, is amended to read as follows:

16 f. ~~Two~~ Four members of the general assembly, ~~one~~ two of
17 whom shall be appointed by the speaker of the house ~~and of~~
18 representatives, after consultation with the majority and
19 minority leaders of the house of representatives, one of whom
20 shall be appointed by the president of the senate, after
21 consultation with the majority leader and the minority leader
22 of the senate, and one of whom shall be appointed by the
23 minority leader of the senate, after consultation with the
24 president and majority leader of the senate, who shall be ex
25 officio, nonvoting members.

26 Sec. 35. Chapter 16A, Code 2005, is repealed.

27 Sec. 36. Sections 2.35, 2.36, 2D.1, 331.440A, and
28 602.1514, Code 2005, are repealed.

29 Sec. 37. EFFECTIVE DATE AND APPLICABILITY PROVISIONS.
30 This Act, being deemed of immediate importance, takes effect
31 upon enactment, except that the section of this Act amending
32 section 28.3 takes effect January 8, 2007. This Act applies
33 to both current and future appointees named by a member or
34 members of the general assembly.

35

EXPLANATION

1 This bill relates to appointments made by members of the
2 general assembly to statutory boards, commissions, councils,
3 and committees.

4 TWO-YEAR TERMS WITH SERVICE AT THE PLEASURE OF THE
5 APPOINTING MEMBER. The bill provides that, unless otherwise
6 specifically provided by law, appointments of members to
7 statutory boards, commissions, councils, and committees by a
8 member or members of the general assembly shall be at the
9 pleasure of the appointing member, for a term of two years but
10 ending upon the convening of the following general assembly or
11 when their successors are appointed, whichever occurs later.
12 If the appointee is a member of the general assembly, a
13 vacancy occurs in the appointed office if the appointee ceases
14 to be a member of the general assembly, unless otherwise
15 specifically provided by law.

16 CONSULTATION BY MULTIPLE APPOINTING MEMBERS, INFORMING
17 APPOINTEES AND BODIES OF APPOINTMENTS, AND DATABASE OF
18 APPOINTMENTS MAINTAINED BY LEGISLATIVE SERVICES AGENCY. If
19 multiple appointing members are charged with making
20 appointments of public members to the same board, commission,
21 council, or committee, the members shall consult with one
22 another in making the appointments. Each appointing authority
23 is required to inform the appointee and the board, commission,
24 council, or committee to which the appointment is made, of the
25 appointment. In addition, each appointing authority is
26 required to inform the legislative services agency and the
27 secretary of the senate and the chief clerk of the house of
28 the appointment. The legislative services agency is required
29 to maintain an up-to-date listing of all appointments made or
30 to be made by members of the general assembly. The
31 legislative services agency may also post on the general
32 assembly's internet website information regarding the
33 organization and activities of the boards, commissions,
34 councils, and committees to which members of the general
35 assembly make appointments.

1 NEW TWO-YEAR TERMS. The bill provides for new two-year
2 terms for appointees of members of the general assembly for
3 the following commissions, councils, and committees:
4 administrative rules review committee (Code section 17A.8);
5 capitol planning commission (Code section 18A.2); Iowa law
6 enforcement academy council (Code section 80B.6); commission
7 on the status of women (Code section 216A.53); criminal and
8 juvenile justice planning advisory council (Code section
9 216A.132); mental health, mental retardation, developmental
10 disabilities, and brain injury commission (Code section
11 225C.5); commission of elder affairs (Code section 231.12);
12 child support advisory committee (Code section 252B.18);
13 advisory council for agricultural education (Code section
14 256.32); college student aid commission (Code section 261.1);
15 education commission of the states (Code section 272B.2); and
16 county finance committee (Code section 333A.2).

17 BODIES ABOLISHED. The bill also abolishes the following
18 boards, commissions, councils, and committees: communications
19 review committee (Code section 2.35); international relations
20 advisory council (Code section 2D.1); Iowa economic protective
21 and investment authority board (Code section 16A.3) and the
22 authority, which is also repealed (Code chapter 16A);
23 oversight committee for the adult mental health, mental
24 retardation, and developmental disabilities services funding
25 decategorization pilot project, which is also repealed (Code
26 section 331.440A); and judicial compensation commission (Code
27 section 602.1514).

28 LEGISLATIVE APPOINTEES REMOVED. The memberships of the
29 following councils and committees are modified to remove
30 appointments made by a member or members of the general
31 assembly: administrative services customer council (Code
32 section 8A.121); information technology council (Code section
33 8A.204); IowaAccess advisory council (Code section 8A.221);
34 personal assistance and family support services council (Code
35 section 225C.48); and city finance committee (Code section

1 384.13).

2 OVERSIGHT COMMITTEE STATUS. The status of the legislative
3 oversight committee as a statutory committee composed of
4 members designated by the legislative council is eliminated
5 (Code section 2.45). The government oversight committees are
6 currently structured as standing committees of the senate and
7 house of representatives, with members appointed by the
8 majority and minority leaders of the senate and the speaker of
9 the house, respectively, in accordance with the rules of the
10 senate and house of representatives.

11 LEGISLATIVE APPOINTEES INCREASED TO FOUR. The memberships
12 of the following boards, commissions, and councils are
13 modified to increase the number of appointments made by a
14 member or members of the general assembly from two to four:
15 indigent defense advisory commission (Code section 13B.2A);
16 Iowa capital investment board (Code section 15E.63); Iowa law
17 enforcement academy council (Code section 80B.6); state child
18 care advisory council (Code section 237A.21); advisory council
19 for agricultural education (Code section 256.32); college
20 student aid commission (Code section 261.1); and the Iowa
21 comprehensive health insurance association board (Code section
22 514E.2).

23 LEGISLATIVE APPOINTEES DECREASED TO FOUR. Effective
24 January 8, 2007, the membership of the following board is
25 modified to decrease the number of appointments made by a
26 member or members of the general assembly from six to four:
27 Iowa empowerment board (Code section 28.3).

28 LEGISLATIVE LEADERS MADE APPOINTING AUTHORITY. The
29 legislative appointing authority for the following committees
30 is transferred from the legislative council to the four named
31 legislative leaders: county finance committee (Code section
32 333A.2) and Brushy creek recreation trails advisory board
33 (Code section 455A.8).

34 EFFECTIVE AND APPLICABILITY PROVISIONS. The bill takes
35 effect upon enactment and applies to both current and future

1 appointments. To comply with provisions of the bill affecting
2 the number or length of appointments, terms of appointment
3 will end no later than two years hence.

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HOUSE FILE 845
BY GIPP and MURPHY

(As Amended and Passed by the House April 27, 2005)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to appointments by members of the general
2 assembly to statutory boards, commissions, councils, and
3 committees, abolishing certain related entities, and including
4 effective date and applicability provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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Deleted Language *

1 Section 1. NEW SECTION. 2.32A APPOINTMENTS BY MEMBERS OF
2 THE GENERAL ASSEMBLY TO STATUTORY BOARDS, COMMISSIONS,
3 COUNCILS, AND COMMITTEES.

4 1. A member of the general assembly who is charged with
5 making an appointment to a statutory board, commission,
6 council, or committee shall make the appointment in accordance
7 with section 69.16B. If multiple appointing members are
8 charged with making appointments of public members to the same
9 board, commission, council, or committee, including as
10 provided in sections 333A.2 and 455A.8, the appointing members
11 shall consult with one another in making the appointments.

12 2. Each appointing member shall inform each appointee and
13 each affected board, commission, council, or committee of the
14 appointment and of the term of the appointment.

15 3. Each appointing member shall also inform the secretary
16 of the senate and the chief clerk of the house, as
17 appropriate, and the director of the legislative services
18 agency of the appointment. The legislative services agency
19 shall maintain an up-to-date listing of all appointments made
20 or to be made by members of the general assembly.

21 Sec. 2. Section 2.45, subsection 5, Code 2005, is amended
22 by striking the subsection.

23 Sec. 3. Section 2A.4, Code 2005, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 12. Maintenance of an up-to-date listing
26 of all appointments made or to be made by members of the
27 general assembly as required by section 2.32A and in
28 accordance with section 69.16B. The legislative services
29 agency may post on the general assembly's internet website
30 information regarding the organization and activities of
31 boards, commissions, councils, and committees to which members
32 of the general assembly make appointments.

33 Sec. 4. Section 2D.3, Code 2005, is amended to read as
34 follows:

35 2D.3 LEGISLATIVE BRANCH PROTOCOL OFFICER.

1 The legislative services agency shall employ a legislative
2 branch protocol officer to coordinate activities related to
3 state, national, and international visitors to the state
4 capitol or with an interest in the general assembly, and
5 related to travel of members of the general assembly abroad.
6 ~~The protocol officer shall serve in a consultative capacity~~
7 ~~and shall provide staff support to the international relations~~
8 ~~advisory council.~~ The protocol officer shall also work with
9 the executive branch protocol officer to coordinate state,
10 national, and international relations activities. The
11 legislative branch protocol officer shall submit periodic
12 reports to the international relations committee of the
13 legislative council regarding the visits of state, national,
14 and international visitors and regarding international
15 activities.

16 Sec. 5. Section 2D.4, Code 2005, is amended to read as
17 follows:

18 2D.4 EXECUTIVE BRANCH PROTOCOL OFFICER.

19 The lieutenant governor, or the lieutenant governor's
20 designee, shall be the executive branch protocol officer. ~~The~~
21 ~~protocol officer shall serve in a consultative capacity to the~~
22 ~~international relations advisory council.~~ The protocol
23 officer shall work with the international relations committee
24 of the legislative council and the legislative branch protocol
25 officer in developing and implementing protocol for state,
26 national, and international visitors to the state capitol and
27 in improving coordination between the legislative and
28 executive branches in international relations activities.

29 Sec. 6. Section 7E.7, subsection 1, Code 2005, is amended
30 to read as follows:

31 1. The Iowa finance authority ~~and the Iowa economic~~
32 ~~protective and investment authority~~ shall be considered parts
33 part of the Iowa department of economic development. The Iowa
34 department of economic development may provide staff
35 assistance and administrative support to the ~~authorities~~

1 authority.

*2 Sec. 7. Section 8A.204, subsection 1, paragraph a, Code
3 2005, is amended to read as follows:

4 a. The information technology council is composed of
5 ~~fourteen~~ ten members including the following:

6 (1) The chairperson of the IowaAccess advisory council
7 established in section 8A.221, or the chairperson's designee.

8 (2) Two executive branch department heads appointed by the
9 governor.

10 (3) Six persons appointed by the governor who are
11 knowledgeable in information technology matters.

12 (4) One person representing the judicial branch appointed
13 by the chief justice of the supreme court who shall serve in
14 an ex officio, nonvoting capacity.

15 ~~(5)--Four-members-of-the-general-assembly-with-not-more
16 than-one-member-from-each-house-being-from-the-same-political
17 party.--The-two-senators-shall-be-designated-by-the-president
18 of-the-senate-after-consultation-with-the-majority-and
19 minority-leaders-of-the-senate.--The-two-representatives-shall
20 be-designated-by-the-speaker-of-the-house-of-representatives
21 after-consultation-with-the-majority-and-minority-leaders-of
22 the-house-of-representatives.--Legislative-members-shall-serve
23 in-an-ex-officio, nonvoting-capacity.--A-legislative-member-is
24 eligible-for-per-diem-and-expenses-as-provided-in-section
25 2.10.~~

26 The information technology council shall allow
27 representatives of the senate, house of representatives,
28 legislative services agency, and office of citizens' aide to
29 provide information to and seek information from the council.

30 Sec. 8. Section 8A.221, subsection 3, paragraph a, Code
31 2005, is amended to read as follows:

32 a. The advisory council shall be composed of ~~nineteen~~
33 fourteen members including the following:

34 (1) Five persons appointed by the governor representing
35 the primary customers of IowaAccess.

1 (2) Six Five persons representing lawful custodians as
2 follows:

3 ~~{a}--One person representing the legislative branch, who~~
4 ~~shall not be a member of the general assembly, to be appointed~~
5 ~~jointly by the president of the senate, after consultation~~
6 ~~with the majority and minority leaders of the senate, and by~~
7 ~~the speaker of the house of representatives, after~~
8 ~~consultation with the majority and minority leaders of the~~
9 ~~house of representatives.~~

10 {b} (a) One person representing the judicial branch as
11 designated by the chief justice of the supreme court.

12 {c} (b) One person representing the executive branch as
13 designated by the governor.

14 {d} (c) One person to be appointed by the governor
15 representing cities who shall be actively engaged in the
16 administration of a city.

17 {e} (d) One person to be appointed by the governor
18 representing counties who shall be actively engaged in the
19 administration of a county.

20 {f} (e) One person to be appointed by the governor
21 representing the federal government.

22 (3) Four members to be appointed by the governor
23 representing a cross section of the citizens of the state.

24 ~~{4}--Four members of the general assembly, two from the~~
25 ~~senate and two from the house of representatives, with not~~
26 ~~more than one member from each chamber being from the same~~
27 ~~political party.--The two senators shall be designated by the~~
28 ~~president of the senate after consultation with the majority~~
29 ~~and minority leaders of the senate.--The two representatives~~
30 ~~shall be designated by the speaker of the house of~~
31 ~~representatives after consultation with the majority and~~
32 ~~minority leaders of the house of representatives.--Legislative~~
33 ~~members shall serve in an ex-officio, nonvoting capacity.--A~~
34 ~~legislative member is eligible for per diem and expenses as~~
35 ~~provided in section 2.10.~~

1 The advisory council shall allow representatives of the
2 senate, house of representatives, legislative services agency,
3 and office of citizens' aide to provide information to and
4 seek information from the advisory council.

5 Sec. 9. Section 12.28, subsection 1, paragraph b, Code
6 2005, is amended to read as follows:

7 b. "State agency" means a board, commission, bureau,
8 division, office, department, or branch of state government.
9 However, state agency does not mean the state board of
10 regents, institutions governed by the board of regents, or
11 authorities created under chapter 16, ~~16A~~ 175, 257C, 261A, or
12 327I.

13 Sec. 10. Section 12.30, subsection 1, paragraph a, Code
14 2005, is amended to read as follows:

15 a. "Authority" means a department, or public or quasi-
16 public instrumentality of the state including, but not limited
17 to, the authority created under chapter 12E, 16, ~~16A~~ 175,
18 257C, 261A, or 327I, which has the power to issue obligations,
19 except that "authority" does not include the state board of
20 regents or the Iowa finance authority to the extent it acts
21 pursuant to chapter 260C.

22 Sec. 11. Section 13B.2A, Code 2005, is amended to read as
23 follows:

24 13B.2A INDIGENT DEFENSE ADVISORY COMMISSION.

25 An indigent defense advisory commission is established
26 within the department to advise and make recommendations to
27 the legislature and the state public defender regarding the
28 hourly rates paid to court-appointed counsel and per case fee
29 limitations. These recommendations shall be consistent with
30 the constitutional requirement to provide effective assistance
31 of counsel to those indigent persons for whom the state is
32 required to provide counsel.

33 The advisory commission shall consist of ~~five~~ seven
34 members. The governor shall appoint three members, including
35 one member from nominations by the Iowa state bar association

1 and one member from nominations by the supreme court. ~~Two~~
2 Four members, ~~one~~ two from each chamber of the general
3 assembly, shall be appointed, with no more than one appointed
4 from the same political party from each chamber. Each member
5 shall serve a three-year term, with initial terms to be
6 staggered, except that legislative members shall serve for
7 terms as provided in section 69.16B. No more than three
8 members shall be licensed to practice law in Iowa. The state
9 public defender shall serve as an ex officio member of the
10 commission and shall serve as the nonvoting chair of the
11 commission.

12 The members of the commission are entitled to receive
13 reimbursement for actual expenses incurred as provided for in
14 section 7E.6, subsection 2, while engaged in the performance
15 of the duties of the commission. A legislative member is
16 eligible for per diem and expenses as provided in section
17 2.10.

18 The advisory commission shall file a written report every
19 three years with the governor and the general assembly by
20 January 1 of a year in which a report is due regarding the
21 recommendations and activities of the commission. The first
22 such report shall be due on January 1, 2003.

23 Sec. 12. Section 15E.63, subsection 2, Code 2005, is
24 amended to read as follows:

25 2. The board shall consist of five voting members and ~~two~~
26 four nonvoting advisory members. The five voting members
27 shall be appointed by the governor and confirmed by the senate
28 pursuant to section 2.32. The five voting members shall be
29 appointed to five-year staggered terms that shall be
30 structured to allow the term of one member to expire each
31 year. One nonvoting member shall be appointed by the majority
32 leader of the senate after consultation with the president of
33 the senate and the minority leader of the senate and one
34 nonvoting member shall be appointed by the minority leader of
35 the senate after consultation with the president and the

1 majority leader of the senate. ~~One~~ Two nonvoting member
2 members shall be appointed by the speaker of the house of
3 representatives after consultation with the majority and
4 minority leaders of the house of representatives. The
5 nonvoting members shall ~~be appointed for two-year~~ serve terms
6 ~~which shall expire upon the convening of a new general~~
7 assembly as provided in section 69.16B. Vacancies shall be
8 filled in the same manner as the appointment of the original
9 members. Members shall be compensated by the board for direct
10 expenses and mileage but members shall not receive a
11 director's fee, per diem, or salary for service on the board.
12 Members shall be selected based upon demonstrated expertise
13 and competence in the supervision of investment managers, in
14 the fiduciary management of investment funds, or in the
15 management and administration of tax credit allocation
16 programs. Members shall not have an interest in any person to
17 whom a tax credit is allocated and issued by the board.

18 Sec. 13. Section 17A.8, subsection 2, Code 2005, is
19 amended to read as follows:

20 2. A committee member shall be appointed prior to the
21 ~~adjournment convening of a~~ the first regular session ~~convened~~
22 ~~in an odd-numbered year of each general assembly.~~ The term of
23 office shall be ~~for four years~~ as provided in section 69.16B
24 ~~beginning May 1 of the year of appointment upon the convening~~
25 of the first regular session of each general assembly.

26 However, a member shall serve until a successor is appointed.
27 A vacancy on the committee shall be filled by the original
28 appointing authority for the remainder of the term. A vacancy
29 shall exist whenever a committee member ceases to be a member
30 of the house from which the member was appointed.

31 Sec. 14. Section 18A.2, subsections 2 and 3, Code 2005,
32 are amended to read as follows:

33 2. The legislative members of the commission shall be
34 appointed to ~~four-year~~ terms of office, ~~two of which shall~~
35 ~~expire every two years~~ as provided in section 69.16B, unless

1 sooner terminated by a commission member ceasing to be a
2 member of the general assembly. Vacancies shall be filled by
3 appointment of the speaker of the house or the president of
4 the senate, after consultation with the majority leader and
5 the minority leader of the senate, as the case may be, for the
6 unexpired term of their predecessors.

7 3. The term of office of each appointive voting member of
8 the commission shall begin on the first of May of the odd-
9 numbered year in which the member is appointed.

10 Sec. 15. Section 28.3, subsection 4, Code 2005, is amended
11 to read as follows:

12 4. In addition to the voting members, the Iowa board shall
13 include ~~six~~ four members of the general assembly with not more
14 than ~~two-members~~ one member from each chamber being from the
15 same political party. The ~~three~~ two senators shall be
16 appointed by the majority leader of the senate after
17 consultation with the president of the senate and the minority
18 leader of the senate. The ~~three~~ two representatives shall be
19 appointed by the speaker of the house of representatives after
20 consultation with the majority and minority leaders of the
21 house of representatives. Legislative members shall serve in
22 an ex officio, nonvoting capacity. A legislative member is
23 eligible for per diem and expenses as provided in section
24 2.10.

25 Sec. 16. NEW SECTION. 69.16B APPOINTMENTS BY MEMBERS OF
26 GENERAL ASSEMBLY TO STATUTORY BOARDS, COMMISSIONS, COUNCILS,
27 AND COMMITTEES -- TERMS.

28 Unless otherwise specifically provided by law, an
29 appointment to a statutory board, commission, council, or
30 committee made by a member or members of the general assembly
31 pursuant to section 2.32A shall be at the pleasure of the
32 appointing member but in no event for longer than a two-year
33 term which shall expire upon the convening of the following
34 general assembly, or when the appointee's successor is
35 appointed, whichever occurs later. Unless otherwise provided,

1 a vacancy exists if a member of the general assembly serving
2 on a statutory board, commission, council, or committee ceases
3 to be a member of the general assembly. A vacancy shall be
4 filled for the unexpired portion of the term in the same
5 manner as the original appointment.

6 Sec. 17. Section 80B.6, unnumbered paragraph 2, Code 2005,
7 is amended to read as follows:

8 One senator appointed by the president of the senate after
9 consultation with the majority leader and the minority leader
10 of the senate ~~and one representative~~, one senator appointed by
11 the minority leader of the senate after consultation with the
12 president and the majority leader of the senate, and two
13 representatives appointed by the speaker of the house after
14 consultation with the majority and minority leaders of the
15 house of representatives are also ex officio, nonvoting
16 members of the council who shall serve terms as provided in
17 section 69.16B.

18 Sec. 18. Section 216A.53, Code 2005, is amended to read as
19 follows:

20 216A.53 TERM OF OFFICE.

21 Four of the members appointed to the initial commission
22 shall be designated by the governor to serve two-year terms,
23 and five shall be designated by the governor to serve four-
24 year terms. The legislative members of the commission shall
25 be appointed to ~~four-year~~ terms of office, ~~two of which shall~~
26 ~~expire every two years~~ as provided in section 69.16B, unless
27 sooner terminated by a commission member ceasing to be a
28 member of the general assembly. Succeeding appointments of
29 voting members shall be for a term of four years. Vacancies
30 in the membership shall be filled for the unexpired term in
31 the same manner as the original appointment.

32 Sec. 19. Section 216A.132, unnumbered paragraph 3, Code
33 2005, is amended to read as follows:

34 The chief justice of the supreme court shall appoint two
35 additional members currently serving as district judges. Two

1 members of the senate and two members of the house of
2 representatives shall be ex officio members and shall be
3 appointed by the majority and minority leaders of the senate
4 and the speaker and minority leader of the house of
5 representatives pursuant to section 69.16 and shall serve
6 terms as provided in section 69.16B. ~~Members~~ Nonlegislative
7 members appointed pursuant to this paragraph shall serve for
8 four-year terms beginning and ending as provided in section
9 69.19 unless the member ceases to serve as a district court
10 judge ~~or-as-a-member-of-the-senate-or-of-the-house-of~~
11 representatives.

12 Sec. 20. Section 225C.5, subsection 1, paragraph j, Code
13 2005, is amended to read as follows:

14 j. In addition to the voting members, the membership shall
15 include four members of the general assembly with one member
16 designated by each of the following: the majority leader of
17 the senate, the minority leader of the senate, the speaker of
18 the house of representatives, and the minority leader of the
19 house of representatives. A legislative member serves for a
20 term as provided in section 69.16B in an ex officio, nonvoting
21 capacity and is eligible for per diem and expenses as provided
22 in section 2.10.

23 Sec. 21. Section 225C.48, subsection 1, Code 2005, is
24 amended to read as follows:

25 1. An eleven-member personal assistance and family support
26 services council is created in the department. The members of
27 the council shall be appointed by the ~~following-officials-as~~
28 ~~follows: governor, five members, majority leader of the~~
29 ~~senate, three members, and speaker of the house, three~~
30 members. At least three five of the ~~governor's~~ appointments
31 ~~and-one-of-each-legislative-chamber's-appointments~~ shall be a
32 family member of an individual with a disability as defined in
33 section 225C.47. At least five one of the members shall be
34 consumers a consumer of personal services. Members shall
35 serve for three-year staggered terms. A vacancy on the

1 council shall be filled in the same manner as the original
2 appointment. The members of the council shall be entitled to
3 reimbursement of actual and necessary expenses incurred in the
4 performance of their official duties. The council shall elect
5 officers from among the council's members.

6 Sec. 22. Section 231.12, Code 2005, is amended to read as
7 follows:

8 231.12 TERMS.

9 All members of the commission appointed by the governor
10 shall be appointed for terms of four years, with staggered
11 expiration dates. The terms of office of members appointed by
12 the governor shall commence and end as provided by section
13 69.19. Members of the commission appointed by the president
14 of the senate and the speaker of the house of representatives
15 shall serve terms of office as provided in section 69.16B. A
16 vacancy on the commission shall be filled for the unexpired
17 term of the vacancy in the same manner as the original
18 appointment was made. If a legislative member ceases to be a
19 member of the general assembly the legislative member may
20 continue to serve until a successor is appointed.

21 Sec. 23. Section 237A.21, subsection 3, paragraph m, Code
22 2005, is amended to read as follows:

23 m. ~~Two~~ Four legislators appointed in a manner so that both
24 chambers and both major political parties are represented.

25 Sec. 24. Section 249A.4, subsection 8, unnumbered
26 paragraph 1, Code 2005, is amended to read as follows:

27 Shall advise and consult at least semiannually with a
28 council composed of the presidents of the following
29 organizations, or a president's representative who is a member
30 of the organization represented by the president: the Iowa
31 medical society, the Iowa osteopathic medical association, the
32 Iowa academy of family physicians, the Iowa chapter of the
33 American academy of pediatrics, the Iowa physical therapy
34 association, the Iowa dental association, the Iowa nurses
35 association, the Iowa pharmacy association, the Iowa podiatric

1 medical society, the Iowa optometric association, the Iowa
2 association of community providers, the Iowa psychological
3 association, the Iowa psychiatric society, the Iowa chapter of
4 the national association of social workers, the Iowa hospital
5 association, the Iowa association of rural health clinics, the
6 opticians' association of Iowa, inc., the Iowa association of
7 hearing health professionals, the Iowa speech and hearing
8 association, the Iowa health care association, the Iowa
9 association for home care, the Iowa council of health care
10 centers, the Iowa physician assistant society, the Iowa
11 association of nurse practitioners, the Iowa occupational
12 therapy association, the Iowa association of homes and
13 services for the aging, the ARC of Iowa which was formerly
14 known as the association for retarded citizens of Iowa, the
15 alliance for the mentally ill of Iowa, Iowa state association
16 of counties, and the governor's developmental disabilities
17 council, together with one person designated by the Iowa
18 chiropractic society; one state representative from each of
19 the two major political parties appointed by the speaker of
20 the house, one state senator from each of the two major
21 political parties appointed by the president of the senate,
22 after consultation with the majority leader and the minority
23 leader of the senate, each for a term of two years as provided
24 in section 69.16B; four public representatives, appointed by
25 the governor for staggered terms of two years each, none of
26 whom shall be members of, or practitioners of, or have a
27 pecuniary interest in any of the professions or businesses
28 represented by any of the several professional groups and
29 associations specifically represented on the council under
30 this subsection, and at least one of whom shall be a recipient
31 of medical assistance; the director of public health, or a
32 representative designated by the director; the dean of Des
33 Moines university -- osteopathic medical center, or a
34 representative designated by the dean; and the dean of the
35 university of Iowa college of medicine, or a representative

1 designated by the dean.

2 Sec. 25. Section 252B.18, subsection 1, paragraph b, Code
3 2005, is amended to read as follows:

4 b. The legislative members of the committee shall be
5 appointed by the majority leader of the senate, after
6 consultation with the president ~~of the senate~~, and the
7 minority leader of the senate, and by the speaker of the house
8 of representatives, after consultation with the majority
9 leader and the minority leader of the house of
10 representatives. ~~Members~~ Nonlegislative members shall serve
11 staggered terms of two years. Appointments shall comply with
12 sections 69.16 and 69.16A. Vacancies shall be filled by the
13 original appointing authority and in the manner of the
14 original appointments.

15 Sec. 26. Section 256.32, subsections 2 and 4, Code 2005,
16 are amended to read as follows:

17 2. The council may also include as ex officio members the
18 following persons, as determined by the voting members of the
19 council:

20 a. The state future farmers of America president.

21 b. The current state future farmers of America alumni
22 association president.

23 c. The current postsecondary agriculture students
24 president.

25 d. The current young farmers educational association
26 president.

27 e. A state consultant in agricultural education.

28 f. The secretary of agriculture or the secretary's
29 designee.

30 g. ~~A member~~ Two members of each house of the general
31 assembly. This membership shall be bipartisan in composition
32 and one member each shall be selected by the president of the
33 senate, after consultation with the majority leader and the
34 minority leader of the senate, and by the minority leader of
35 the senate, after consultation with the president and the

1 majority leader of the senate, and two members shall be
2 selected by the speaker of the house of representatives, after
3 consultation with the majority and minority leaders of the
4 house of representatives.

5 4. The term of membership is three years. The terms shall
6 be staggered so that three of the terms end each year, but no
7 member serving on the initial council shall serve less than
8 one year. The governor shall determine the length of the
9 initial terms of office. However, the terms of office for
10 members of the general assembly shall be as provided in
11 section 69.16B.

12 Sec. 27. Section 261.1, subsections 3 and 4, Code 2005,
13 are amended to read as follows:

14 3. ~~A-member~~ Two members of the senate, one to be appointed
15 by the president of the senate, after consultation with the
16 majority leader and the minority leader of the senate, and one
17 to be appointed by the minority leader of the senate, after
18 consultation with the president and majority leader of the
19 senate, to serve as an ex officio nonvoting member members for
20 ~~a-term-of-four-years-beginning-on-July-1-of-the-year-of~~
21 appointment terms as provided in section 69.16B.

22 4. ~~A-member~~ Two members of the house of representatives to
23 be appointed by the speaker of the house of representatives,
24 after consultation with the majority and minority leaders of
25 the house of representatives to serve as an ex officio
26 nonvoting member members for ~~a-term-of-four-years-beginning-on~~
27 ~~July-1-of-the-year-of-appointment~~ terms as provided in section
28 69.16B.

29 Sec. 28. Section 272B.2, Code 2005, is amended to read as
30 follows:

31 272B.2 EDUCATION COMMISSION OF THE STATES.

32 Article III, paragraph 1, of the compact notwithstanding,
33 the members of the education commission of the states
34 representing this state consist of the governor, two
35 nonlegislative members appointed by the governor, two members

1 of the senate appointed by the majority leader of the senate,
2 and two members of the house of representatives appointed by
3 the speaker of the house of representatives. The
4 Nonlegislative members shall serve four-year terms and
5 legislative members shall serve terms as provided in section
6 69.16B. Nonlegislative members shall serve on the education
7 commission of the states without compensation, but shall
8 receive their actual and necessary expenses and travel.
9 Legislative members shall receive actual and necessary
10 expenses and travel pursuant to sections 2.10 and 2.12.
11 Vacancies on the commission shall be filled for the unexpired
12 portion of the term in the same manner as the original
13 appointments. If a member ceases to be a member of the
14 general assembly, the member shall no longer serve as a member
15 of the education commission of the states.

16 Sec. 29. Section 333A.2, subsection 1, paragraph d, Code
17 2005, is amended to read as follows:

18 d. An operations research analyst experienced in cost
19 effectiveness analysis of county services appointed jointly
20 ~~by, and to serve at the pleasure of, the legislative council~~
21 the majority and minority leaders of the senate and the
22 speaker of the house of representatives, after consultation by
23 the speaker with the minority leader of the house of
24 representatives.

25 Sec. 30. Section 384.13, unnumbered paragraph 1, Code
26 2005, is amended to read as follows:

27 As used in this division, unless the context otherwise
28 requires, "committee" means the city finance committee and
29 "director" means the director of the department of management.
30 ~~A nine-member~~ An eight-member city finance committee is
31 created. Members of the committee are:

32 Sec. 31. Section 384.13, subsection 5, Code 2005, is
33 amended by striking the subsection.

34 Sec. 32. Section 455A.8, subsection 1, Code 2005, is
35 amended to read as follows:

1 1. The Brushy creek recreation trails advisory board shall
2 be organized within the department and shall be composed of
3 ten members including the following: the director of the
4 department or the director's designee who shall serve as a
5 nonvoting ex officio member, the park ranger responsible for
6 the Brushy creek recreation area, a member of the state
7 advisory board for preserves established under chapter 465C, a
8 person appointed by the governor, ~~and six persons appointed by~~
9 ~~the legislative council~~ two persons appointed by the majority
10 leader of the senate, one person appointed by the minority
11 leader of the senate, and three persons appointed by the
12 speaker of the house of representatives after consultation
13 with the majority and minority leaders of the house of
14 representatives. Each person appointed by the governor or
15 ~~legislative council~~ by a member of the general assembly must
16 actively participate in recreational trail activities such as
17 hiking, an equestrian sport, or a winter sport at the Brushy
18 creek recreation area. The voting members shall elect a
19 chairperson at the board's first meeting each year.

20 Sec. 33. Section 514E.2, subsection 2, paragraph f, Code
21 2005, is amended to read as follows:

22 f. ~~Two~~ Four members of the general assembly, ~~one~~ two of
23 whom shall be appointed by the speaker of the house ~~and of~~
24 representatives, after consultation with the majority and
25 minority leaders of the house of representatives, one of whom
26 shall be appointed by the president of the senate, after
27 consultation with the majority leader and the minority leader
28 of the senate, and one of whom shall be appointed by the
29 minority leader of the senate, after consultation with the
30 president and majority leader of the senate, who shall be ex
31 officio, nonvoting members.

32 Sec. 34. Chapter 16A, Code 2005, is repealed.

33 Sec. 35. Sections 2.35, 2.36, 2D.1, 331.440A, and
34 602.1514, Code 2005, are repealed.

35 Sec. 36. EFFECTIVE DATE AND APPLICABILITY PROVISIONS.

1 This Act, being deemed of immediate importance, takes effect
2 upon enactment, except that the section of this Act amending
3 section 28.3 takes effect January 8, 2007. This Act applies
4 to both current and future appointees named by a member or
5 members of the general assembly.

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HOUSE FILE 845

S-5019

- 1 Amend House File 845, as amended, passed, and
2 reprinted by the House, as follows:
- 3 1. Page 1, line 6, by inserting after the word
4 "appointment" the following: "prior to the fourth
5 Monday in January of the first regular session of each
6 general assembly and".
- 7 2. Page 1, line 10, by striking the words and
8 figures "sections 333A.2 and 455A.8" and inserting the
9 following: "section 333A.2".
- 10 3. Page 1, by striking lines 21 and 22.
- 11 4. Page 3, by striking lines 2 through 29.
- 12 5. Page 3, line 30, by inserting after the word
13 "Code" the following: "Supplement".
- 14 6. Page 5, line 13, by inserting after the word
15 "Code" the following: "Supplement".
- 16 7. Page 5, by striking lines 15 through 21, and
17 inserting the following:
- 18 "a. "Authority" means a department, or public or
19 quasi-public instrumentality of the state including,
20 but not limited to, the authority created under
21 chapter 12E, 16, ~~16A~~, 175, 257C, 261A, 327I, or 463C,
22 which has the power to issue obligations, except that
23 "authority" does not include the state board of
24 regents or the Iowa finance authority to the extent it
25 acts pursuant to chapter 260C. "Authority" also
26 includes a port authority created under chapter 28J."
- 27 8. Page 6, line 23, by inserting after the word
28 "Code" the following: "Supplement".
- 29 9. Page 7, by striking lines 18 through 30.
- 30 10. Page 8, line 10, by inserting after the word
31 "Code" the following: "Supplement".
- 32 11. By striking page 11, line 25, through page
33 13, line 1, and inserting the following:
- 34 "Sec. _____. Section 249A.4B, subsection 2,
35 paragraph g, unnumbered paragraph 1, Code Supplement
36 2005, is amended to read as follows:
- 37 The following members of the general assembly, each
38 for a term of two years as provided in section
39 69.16B:"
- 40 12. Page 13, by inserting before line 2, the
41 following:
- 42 "Sec. _____. Section 249J.20, Code Supplement 2005,
43 is amended by adding the following new subsection:
44 NEW SUBSECTION. 1A. The members of the council
45 shall serve terms as provided in section 69.16B and
46 are eligible for per diem and expenses as provided in
47 section 2.10."
- 48 13. Page 14, by inserting after line 28, the
49 following:
- 50 "Sec. _____. Section 261D.3, subsection 3, Code

S-5019

1 Supplement 2005, is amended to read as follows:
2 3. ~~The Nonlegislative~~ members shall serve two-year
3 terms except as otherwise provided under the terms of
4 the compact. Legislative members shall serve two-year
5 terms as provided in section 69.16B. Nonlegislative
6 members shall serve without compensation, but shall
7 receive their actual and necessary expenses and
8 travel. Legislative members shall receive actual and
9 necessary expenses pursuant to sections 2.10 and 2.12.
10 Vacancies on the commission shall be filled for the
11 unexpired portion of the term in the same manner as
12 the original appointments. If a member ceases to be a
13 member of the general assembly, the member shall no
14 longer serve as a member of the commission."

15 14. Page 15, by inserting after line 15, the
16 following:

17 "Sec. ____ . Section 280A.2, subsection 8, Code
18 Supplement 2005, is amended to read as follows:

19 8. TERMS OF MEMBERS. The members shall be
20 appointed to three-year staggered terms and the terms
21 shall commence and end as provided by section 69.19,
22 except that the appointment and terms of legislators
23 shall be as provided in section 69.16B. If a vacancy
24 occurs, a successor shall be appointed to serve the
25 unexpired term. A successor shall be appointed in the
26 same manner and subject to the same qualifications as
27 the original appointment to serve the unexpired term."

28 15. Page 16, by striking lines 1 through 19, and
29 inserting the following:

30 "1. The Brushy creek recreation trails advisory
31 board shall be organized within the department and
32 shall be composed of ten members including but not
33 limited to the following: the director of the
34 department or the director's designee who shall serve
35 as a nonvoting ex officio member, the park ranger
36 responsible for the Brushy creek recreation area, a
37 member of the state advisory board for preserves
38 established under chapter 465C, and a person appointed
39 by the governor, ~~and six persons appointed by the~~
40 ~~legislative council.~~ ~~Each~~ The person appointed by the
41 governor ~~or legislative council~~ must actively
42 participate in recreational trail activities such as
43 hiking, an equestrian sport, or a winter sport at the
44 Brushy creek recreation area. The voting members
45 shall elect a chairperson at the board's first meeting
46 each year."

47 16. Page 16, by inserting before line 20, the
48 following:

49 "Sec. ____ . Section 466A.3, subsection 2, paragraph
50 a, Code Supplement 2005, is amended to read as

1 follows:

2 a. The nonlegislator voting members of the board
3 shall serve three-year staggered terms commencing and
4 ending as provided in section 69.19. Legislator
5 voting members of the board shall serve two-year terms
6 as provided in section 69.16B. If a vacancy occurs, a
7 successor shall be appointed in the same manner and
8 subject to the same qualifications as the original
9 appointment, to serve the remainder of the term."

10 17. Page 16, line 20, by inserting after the word
11 "Code" the following: "Supplement".

12 18. By renumbering as necessary.

COMMITTEE ON RULES AND ADMINISTRATION

MICHAEL E. GRONSTAL, CO-CHAIRPERSON

STEWART IVERSON, Jr., CO-CHAIRPERSON

SENATE AMENDMENT TO
HOUSE FILE 845

H-8466

- 1 Amend House File 845, as amended, passed, and
2 reprinted by the House, as follows:
- 3 1. Page 1, line 6, by inserting after the word
4 "appointment" the following: "prior to the fourth
5 Monday in January of the first regular session of each
6 general assembly and".
- 7 2. Page 1, line 10, by striking the words and
8 figures "sections 333A.2 and 455A.8" and inserting the
9 following: "section 333A.2".
- 10 3. Page 1, by striking lines 21 and 22.
- 11 4. Page 3, by striking lines 2 through 29.
- 12 5. Page 3, line 30, by inserting after the word
13 "Code" the following: "Supplement".
- 14 6. Page 5, line 13, by inserting after the word
15 "Code" the following: "Supplement".
- 16 7. Page 5, by striking lines 15 through 21, and
17 inserting the following:
- 18 "a. "Authority" means a department, or public or
19 quasi-public instrumentality of the state including,
20 but not limited to, the authority created under
21 chapter 12E, 16, ~~16A~~, 175, 257C, 261A, 327I, or 463C,
22 which has the power to issue obligations, except that
23 "authority" does not include the state board of
24 regents or the Iowa finance authority to the extent it
25 acts pursuant to chapter 260C. "Authority" also
26 includes a port authority created under chapter 28J."
- 27 8. Page 6, line 23, by inserting after the word
28 "Code" the following: "Supplement".
- 29 9. Page 7, by striking lines 18 through 30.
- 30 10. Page 8, line 10, by inserting after the word.
31 "Code" the following: "Supplement".
- 32 11. By striking page 11, line 25, through page
33 13, line 1, and inserting the following:
- 34 "Sec. _____. Section 249A.4B, subsection 2,
35 paragraph g, unnumbered paragraph 1, Code Supplement
36 2005, is amended to read as follows:
- 37 The following members of the general assembly, each
38 for a term of two years as provided in section
39 69.16B:"
- 40 12. Page 13, by inserting before line 2, the
41 following:
- 42 "Sec. _____. Section 249J.20, Code Supplement 2005,
43 is amended by adding the following new subsection:
- 44 NEW SUBSECTION. 1A. The members of the council
45 shall serve terms as provided in section 69.16B and
46 are eligible for per diem and expenses as provided in
47 section 2.10."
- 48 13. Page 14, by inserting after line 28, the
49 following:
- 50 "Sec. _____. Section 261D.3, subsection 3, Code

H-8466

1 Supplement 2005, is amended to read as follows:

2 3. ~~The~~ Nonlegislative members shall serve two-year
3 terms except as otherwise provided under the terms of
4 the compact. Legislative members shall serve two-year
5 terms as provided in section 69.16B. Nonlegislative
6 members shall serve without compensation, but shall
7 receive their actual and necessary expenses and
8 travel. Legislative members shall receive actual and
9 necessary expenses pursuant to sections 2.10 and 2.12.
10 Vacancies on the commission shall be filled for the
11 unexpired portion of the term in the same manner as
12 the original appointments. If a member ceases to be a
13 member of the general assembly, the member shall no
14 longer serve as a member of the commission."

15 14. Page 15, by inserting after line 15, the
16 following:

17 "Sec. ____ . Section 280A.2, subsection 8, Code
18 Supplement 2005, is amended to read as follows:

19 8. TERMS OF MEMBERS. The members shall be
20 appointed to three-year staggered terms and the terms
21 shall commence and end as provided by section 69.19,
22 except that the appointment and terms of legislators
23 shall be as provided in section 69.16B. If a vacancy
24 occurs, a successor shall be appointed to serve the
25 unexpired term. A successor shall be appointed in the
26 same manner and subject to the same qualifications as
27 the original appointment to serve the unexpired term."

28 15. Page 16, by striking lines 1 through 19, and
29 inserting the following:

30 "1. The Brushy creek recreation trails advisory
31 board shall be organized within the department and
32 shall be composed of ten members including but not
33 limited to the following: the director of the
34 department or the director's designee who shall serve
35 as a nonvoting ex officio member, the park ranger
36 responsible for the Brushy creek recreation area, a
37 member of the state advisory board for preserves
38 established under chapter 465C, and a person appointed
39 by the governor, ~~and six persons appointed by the~~
40 ~~legislative council.~~ Each The person appointed by the
41 governor ~~or legislative council~~ must actively
42 participate in recreational trail activities such as
43 hiking, an equestrian sport, or a winter sport at the
44 Brushy creek recreation area. The voting members
45 shall elect a chairperson at the board's first meeting
46 each year."

47 16. Page 16, by inserting before line 20, the
48 following:

49 "Sec. ____ . Section 466A.3, subsection 2, paragraph
50 a, Code Supplement 2005, is amended to read as

H-8466

Page 3

1 follows:

- 2 a. The nonlegislator voting members of the board
3 shall serve three-year staggered terms commencing and
4 ending as provided in section 69.19. Legislator
5 voting members of the board shall serve two-year terms
6 as provided in section 69.16B. If a vacancy occurs, a
7 successor shall be appointed in the same manner and
8 subject to the same qualifications as the original
9 appointment, to serve the remainder of the term."
10 17. Page 16, line 20, by inserting after the word
11 "Code" the following: "Supplement".
12 18. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-8466 FILED APRIL 4, 2006