

~~referred--to--a--committee--of--five--senators--who--shall--if--possible--represent--different--political--parties--The--committee--shall--be--appointed--by--the--president--of--the--senate--without--motion--and--shall--report--to--the--senate.~~ The senate shall adopt rules governing the investigation and confirmation of appointments to positions which require confirmation by the senate. The consideration of the nomination by the senate shall not be made on the same legislative day on which the nomination is ~~so~~ referred to a committee, unless it be the last day of the session. When a nomination has been so considered by the senate and approval has been refused, the nominee shall not be eligible for an interim appointment to any position requiring confirmation by the senate, prior to the convening of the next regular session of the general assembly.

Sec. 2. This Act, being deemed of immediate importance, shall take effect from and after its publication in The Red Oak Express, a newspaper published in Red Oak, Iowa, and in the Evening Democrat, a newspaper published in Fort Madison, Iowa.

Approved March 20, 1980

I hereby certify that the foregoing Act, Senate File 2098, was published in The Red Oak Express, Red Oak, Iowa on March 27, 1980, and in the Evening Democrat, Fort Madison, Iowa on April 3, 1980.

MELVIN D. SYNHORST, *Secretary of State*

CHAPTER 1010
GOVERNOR'S APPOINTMENTS
S. F. 2301

AN ACT relating to gubernatorial appointments which are subject to confirmation by the senate.

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

Section 1. Section two point thirty-two (2.32), Code 1979, is amended by striking the section and inserting in lieu thereof the following:

2.32 CONFIRMATION OF APPOINTMENTS--PROCEDURES.

1. The governor shall either make an appointment or file a notice of deferred appointment by March fifteenth for the following appointments which are subject to confirmation by the senate:
 - a. An appointment to fill a term beginning on May first of that year.
 - b. An appointment to fill a vacancy, other than as provided for in paragraph d, existing prior to the convening of the general assembly in regular session in that year.

c. An appointment to fill a vacancy, other than as provided for in paragraph d, which is known, prior to the convening of the general assembly in regular session, will occur before May first of that year.

d. An appointment to fill a vacancy existing in a full-time compensated position on December fifteenth prior to the convening of the general assembly.

2. If a vacancy in a position requiring confirmation by the senate, other than a full-time compensated position, occurs after the convening of the general assembly in regular session, the governor shall, within sixty calendar days after the vacancy occurs, either make an appointment or file a notice of deferred appointment unless the general assembly has adjourned its regular session before the sixty-day period expires. If a vacancy in a full-time compensated position requiring senate confirmation occurs after December fifteenth, the governor shall, within ninety calendar days after the vacancy occurs, make an appointment or file a notice of deferred appointment unless the general assembly has adjourned its regular session before the ninety-day period expires.

3. If an appointment is submitted pursuant to subsection one (1) of this section, the senate shall by April fifteenth of that year either approve, disapprove or by resolution defer consideration of confirmation of the appointment. If an appointment is submitted pursuant to subsection two (2) of this section, the senate shall either approve, disapprove or by resolution defer consideration of confirmation of the appointment within thirty days after receiving the appointment from the governor. The senate may defer consideration of an appointment until a later time during that session, but the senate shall not adjourn that session until all appointments submitted pursuant to this section are approved or disapproved.

Sixty days after a person's appointment has been disapproved by the senate, that person shall not serve in that position as an interim appointment or by holding over in office and the governor shall submit another appointment or file a notice of deferred appointment before the sixty day period expires.

4. The governor shall submit all appointments requiring confirmation by the senate and notices of deferred appointment to the secretary of the senate who shall provide the governor's office with receipts of submission. Each notice of appointment shall be accompanied by a statement of the appointee's political affiliation. The notice of a deferred appointment shall be filed by the governor with the secretary of the senate and accompanied by a statement of reasons for the deferral.

5. The senate shall adopt rules governing the referral of appointments to committees, the reports of committees on appointments, and the confirmation of appointments by the senate.

6. The confirmation of every appointment submitted to the senate requires the approval of two-thirds of the members of the senate.

7. The governor shall file by February first with the secretary of the senate a list of all the appointment positions requiring gubernatorial action pursuant to subsection one (1) of this section. The secretary of the senate shall provide the governor a written acknowledgement of the list within five

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days of its receipt. The senate shall approve the list or request corrections by resolution by February fifteenth.

Sec. 2. Chapter sixty-nine (69), Code 1979, is amended by adding the following new section:

NEW SECTION. SALARY OF ACTING APPOINTEES. If a vacancy occurs in a position which is appointed by the governor subject to confirmation by the senate and the governor designates a person to serve in that position in an acting capacity, that person shall not receive compensation in excess of that authorized by law for a person holding that position.

Sec. 3. Chapter sixty-nine (69), Code 1979, is amended by adding the following new section:

NEW SECTION. TERMS OF APPOINTMENTS CONFIRMED BY THE SENATE. All terms of office of positions which are appointed by the governor, have a fixed term and are subject to confirmation by the senate shall begin at 12:01 a.m. on May first in the year of appointment and expire at 12:00 midnight on April thirtieth in the year of expiration.

Sec. 4. Section eight point four (8.4), Code 1979, is amended to read as follows:

8.4 STATE COMPTROLLER--SALARY--BOND. There is hereby created an ~~office to-be-known-as~~ "office of state comptroller", which shall be directly attached to the office of the governor and shall be under the general direction, supervision and control of the governor. Such office shall be in immediate charge of an officer to be known as "state comptroller", who shall be appointed by the governor, ~~with-the-approval-of-two-thirds-of~~ subject to confirmation by the senate, and shall hold office at ~~his~~ the governor's pleasure and shall receive a salary as fixed by the general assembly. Before entering upon the discharge of ~~his~~ the state comptroller duties, he shall take the constitutional oath of office and ~~he-shall~~ give a surety bond in such penalty as ~~may-be~~ fixed by the governor, payable to the state, ~~but--such penalty which~~ shall not be less than twenty-five thousand dollars conditioned upon the faithful discharge of ~~his~~ the state comptroller's duties. The premium on ~~his~~ the bond shall be paid out of the state treasury.

Sec. 5. Section eighteen point two (18.2), Code 1979, is amended to read as follows:

18.2 DEPARTMENT ESTABLISHED. There is created a department of general services which shall be attached to the office of the governor and shall be under ~~his~~ the governor's general direction, supervision, and control. The office shall be in charge of a director, who shall be appointed by the governor, ~~with--the-approval-of-two-thirds-of~~ subject to confirmation by the senate. The director shall be employed on a permanent basis. He ~~The~~ director shall not hold any other office, engage in any political activity, accept or solicit, directly or indirectly, any political contributions, and shall not use ~~his~~ the office to support the candidacy of anyone for elective or appointive office. The director shall hold office at the governor's pleasure and shall receive a salary at a rate fixed by the governor not to exceed twenty-five thousand dollars per annum. Before entering upon the discharge of his or her duties, the director may be required to give a surety bond in ~~such an~~ amount as ~~may-be~~ fixed by the governor. The premium on the bond shall be paid out of funds appropriated to the department.

The director shall be a qualified administrator.

Sec. 6. Section nineteen A point six (19A.6), subsection two (2), Code 1979, is amended to read as follows:

2. The governor shall appoint members of the merit employment commission. Members appointed to the commission shall be are subject to approval of two-thirds of the members of confirmation by the senate. ~~The merit employment commission appointed shall hold office in the following manner: One member until July 1, 1969, one member until July 1, 1971, and one member until July 1, 1973. Thereafter, each member shall be appointed for a term ending six years from the date of expiration of the term for which his predecessor was appointed.~~ Members shall be appointed to staggered terms of six years beginning and ending as provided in section three (3) of this Act. Where a vacancy may exist exists, the governor shall appoint for the unexpired portion of the term, and if the general assembly is not then in session, the governor shall, upon the convening of the general assembly, promptly report the appointment to the senate for confirmation.

Sec. 7. Section twenty point five (20.5), subsections one (1) and two (2), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section nine (9), is amended to read as follows:

1. There is established a board to be known as the "Public Employment Relations Board." The board shall consist of three members appointed by the governor, ~~with approval of two-thirds of~~ subject to confirmation by the senate. No more than two members shall be of the same political affiliation and, no member shall engage in any political activity while holding office and the members shall devote full time to their duties.

~~Each member~~ The members shall be appointed for a term staggered terms of four years, ~~except that of the members first appointed, two members shall be appointed for a term of two years commencing July 1, 1974, and ending June 30, 1976, and one member shall be appointed for a term of four years commencing July 1, 1974, and ending June 30, 1978~~ beginning and ending as provided in section three (3) of this Act.

The member first appointed for a term of four years shall serve as chairman chairperson and each of ~~his~~ the member's successors shall also serve as chairman chairperson.

2. ~~Any vacancy on the commission which may occur when the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days following the convening of the next session of the general assembly. Prior to the expiration of the thirty-day period, the governor shall transmit to the senate for its approval the name of the appointee for the unexpired portion of the regular term.~~ Any vacancy occurring ~~when the general assembly is in session~~ shall be filled in the same manner as regular appointments are made, ~~and before the end of such session, and for the unexpired portion of the regular term.~~

Sec. 8. Section twenty-seven A point two (27A.2), Code 1979, is amended to read as follows:

27A.2 MEMBERSHIP OF COMMISSION. The director of the Iowa state conservation commission shall be a permanent member from Iowa of the upper Mississippi riverway commission and may designate an alternate in accordance with article IV "a" of the compact. The governor shall appoint the three remaining members from Iowa of the commission. Such members may also be members of another board or commission established by law. The appointment of the remaining three members shall be ~~confirmed by a two-thirds vote of~~ subject to confirmation by the senate. ~~Vacancies occurring while the general assembly is not in session shall be filled by appointment of the governor and submitted to the senate for confirmation as herein provided, within thirty days of convening of the next regular session of the general assembly.~~ The members so appointed shall serve for ~~a period~~ staggered periods of four years, ~~except that for the initial appointments, the governor shall appoint one member to serve until June 30, 1969, one member to serve until June 30, 1970, and one member to serve until June 30, 1971~~ beginning and ending as provided in section three (3) of this Act. Commission members from this state shall, upon certification by the comptroller, be reimbursed for the actual and necessary expenses incurred by them in the discharge of their duties.

Sec. 9. Section twenty-eight point three (28.3), Code 1979, is amended to read as follows:

28.3 DIRECTOR--DUTIES. The director shall be appointed by the governor, subject to ~~the approval of two-thirds of the members of~~ confirmation by the senate, and shall serve at the pleasure of the governor.

The governor shall fix ~~his~~ the director's compensation which shall be payable out of the funds of the commission. The director shall not be a member of the commission.

~~A director appointed when the general assembly is not in session shall serve at the pleasure of the governor, but his term shall expire thirty days after the general assembly next convenes, unless during such thirty days he be approved by two-thirds of the members of the senate.~~

The director shall attend the meetings of the commission and, shall serve as its secretary, and shall have general charge of the work of the commission, subject to its orders and direction, and shall serve at the pleasure of the governor.

Sec. 10. Section twenty-nine A point eleven (29A.11), Code 1979, is amended to read as follows:

29A.11 ADJUTANT GENERAL--APPOINTMENT, TERM AND REMOVAL. There shall be an adjutant general of the state who shall be appointed and commissioned by the governor ~~with the approval and~~ subject to confirmation ~~of two-thirds of~~ by the senate and who shall serve at the pleasure of the governor. The rank of the adjutant general shall be at least that of brigadier general and he or she shall hold office for a term of four years beginning and ending as provided in section three (3) of this Act. At the time of appointment the adjutant general shall be a federally recognized commissioned officer with not less than ten years military service in the armed forces, at least five of which have been commissioned service, and who ~~shall have~~ has reached the grade of a field officer.

Sec. 11. Section forty-six point one (46.1), Code 1979, is amended to read as follows:

46.1 APPOINTMENT OF STATE JUDICIAL NOMINATING COMMISSIONERS. The governor shall appoint, subject to confirmation by the senate, one eligible elector of each congressional district to the state judicial nominating commission for a six-year term beginning July 1 and ending as provided in section three (3) of this Act. The terms of no more than three nor less than two of such the members shall expire within the same two-year period. ~~The governor shall within thirty days following the organization of each regular session of the general assembly, appoint for a like term, with approval of the senate, a successor to the member of the commission from a congressional district whose term of office will expire June 30 following.~~

Sec. 12. Section fifty-six point nine (56.9), subsection one (1), Code 1979, is amended to read as follows:

1. There is created a campaign finance disclosure commission which shall consist of five members, not more than three of whom shall be from the same political party. The governor shall appoint the members of the commission for a term staggered terms of six years beginning and ending as provided in section three (3) of this Act, subject to the confirmation of the senate. ~~Of the members first appointed one member shall be appointed for a term of two years, two members shall be appointed for a term of four years, and two members shall be appointed for a term of six years, beginning July 1, 1973.~~ Any vacancy shall be filled by appointment for the unexpired portion of the term in accordance with the provisions for regular appointment ~~insofar as is~~ applicable.

Sec. 13. Section eighty point two (80.2), Code 1979, is amended to read as follows:

80.2 COMMISSIONER--APPOINTMENT. The chief executive officer of the department of public safety ~~shall be~~ is the commissioner of public safety. The governor shall appoint, ~~with the approval of two thirds of the members of~~ subject to confirmation by the senate, a commissioner of public safety, who shall be a person of high moral character, of good standing in the community in which the commissioner lives, of recognized executive and administrative capacity, and who shall not be selected on the basis of political affiliation. The commissioner of public safety shall devote full time to the duties of this office; the commissioner shall not engage in any other trade, business, or profession, nor engage in any partisan or political activity. The commissioner shall serve at the pleasure of the governor, at an annual salary as fixed by the general assembly.

Sec. 14. Section eighty B point six (80B.6), unnumbered paragraph one (1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter twenty-eight (28), section one (1), is amended to read as follows:

There is created the Iowa law enforcement academy council which shall consist of the following seven members appointed by the governor ~~with the consent of~~ subject to confirmation by the senate to terms of four years commencing ~~on January first~~ as provided in section three (3) of this Act:

Sec. 15. Section eighty C point six (80C.6), Code 1979, is amended to read as follows:

80C.6 COMMISSION MEMBERSHIP. The commission shall consist of twelve members who are concerned with and knowledgeable about the problems of criminal justice and who are appointed for four-year terms beginning and ending as provided in section three (3) of this Act by the governor subject to confirmation by ~~two-thirds-of-the-members-of~~ the senate.

The governor shall appoint an executive director of the commission who shall be the governor's official representative, and ~~whe--shall--be~~ the principal executive administrator of the commission.

~~No~~ A member of the general assembly shall not be appointed as a voting member of the commission.

Sec. 16. Section eighty-six point one (86.1), Code 1979, is amended to read as follows:

86.1 INDUSTRIAL COMMISSIONER--TERM. The governor shall appoint, ~~with-the approval-of~~ subject to confirmation by the senate, an industrial commissioner whose term of office shall be six years ~~from--July--1--of-the-year-of appointment~~ beginning and ending as provided in section three (3) of this Act. He ~~The~~ industrial commissioner shall maintain ~~his~~ an office at the seat of government. ~~An-appointment-to-fill-a-vacaney-may-be-made-when-the-senate is-not-in-session,-but-shall-be-acted-upon-at-the-next-session-thereof----~~ ~~Any such--appointee~~ The industrial commissioner must be a lawyer admitted to practice in this state.

Sec. 17. Section eighty-eight point ten (88.10), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION IS HEREBY ESTABLISHED. The commission shall be composed of three members who shall be appointed by the governor ~~with-the-approval-of-two-thirds-of-the-members-of~~ subject to confirmation by the senate, which shall include among its members one member qualified by experience and affiliation to represent the employers, one member similarly qualified to represent labor, and one representative who shall be impartial and represent the public. The governor shall designate one of the members of the commission to serve as ~~chairman~~ chairperson.

2. TERMS OF OFFICE. The terms of members of the commission shall be ~~six years,-except-that-the-members-of-the-commission-first-taking-office-shall serve,-as-designated-by-the-governor-at-the-time-of-appointment,-one-for-a term-of-two-years,-one-for-a-term-of-four-years,-and-one-for-a-term-of-six years~~ six-year staggered terms beginning and ending as provided in section three (3) of this Act. A vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for which ~~he~~ the member was appointed shall be filled only for the remainder of ~~such~~ the unexpired term. A member of the commission may be removed by the governor for inefficiency, neglect of duty, or malfeasance in office.

Sec. 18. Section ninety-one point two (91.2), Code 1979, is amended to read as follows:

91.2 APPOINTMENT. The governor shall, ~~--within--sixty--days--after--the organization-of-the-regular-session-of-the-general-assembly-in-1925,-and-each~~

~~two-years-thereafter,~~ appoint in each odd-numbered year, with-the-approval-of two-thirds--of--the-members-of subject to confirmation by the senate, a labor commissioner who shall serve for a period of two years ~~from--July--1--of--the year--of-appointment~~ beginning and ending as provided in section three (3) of this Act.

Sec. 19. Section ninety-three point two (93.2), subsection one (1), paragraph c, Code 1979, is amended to read as follows:

c. Seven public members appointed by the governor for four-year terms commencing ~~July-1~~ and ending as provided in section three (3) of this Act and subject to confirmation by ~~two-thirds-of-the-membership-of~~ the senate. The governor's appointees shall be knowledgeable in the fields of energy production, energy technology and energy management. Not more than four of the governor's appointees shall be from the same political party.

Sec. 20. Section ninety-three point three (93.3), Code 1979, is amended to read as follows:

93.3 PERSONNEL. The governor shall appoint a director of energy policy who shall carry out duties assigned to the director by the council or duties assigned to the director by the governor pursuant to a proclamation of emergency issued under the provisions of section 93.8. The appointment of the director ~~shall-be~~ is subject to confirmation by ~~two-thirds-of-the-members of~~ the senate. The employees of the council ~~shall--be~~ are subject to the provisions of chapter 19A. Any employee or any position established for an employee that is to be paid for from federal funds shall be terminated when the federal funds are no longer available.

Sec. 21. Section ninety-six point six (96.6), subsection four (4), unnumbered paragraph one (1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-three (33), sections thirteen (13) and fourteen (14), is amended to read as follows:

To hear and decide disputed claims, there is established an appeal board. The appeal board shall consist of three members appointed by the governor ~~with--the-approval-of-two-thirds-of-the-members-of~~ subject to confirmation by the senate. One member shall be a representative of employers, one member shall be a representative of employees, and one member ~~who~~ shall be impartial and shall represent the general public. The members shall serve six-year staggered terms beginning ~~on-July-1~~ and ending as provided in section three (3) of this Act. ~~For-the-initial-board,~~ the member representing employers shall-serve-a-two-year-term, ~~the member representing employees shall-serve--a four-year--term,~~ and the member representing the general public shall-serve-a term-of-six-years. No more than two members of the appeal board shall be members of the same political party. Any vacancy in the membership ~~occurring during--a--session-of-the-general-assembly~~ shall be filled in the same manner as the original appointment was made. ~~Any--vacancy--in--the--membership occurring--while--the--general--assembly-is-not-in-session-shall-be-filled-by appointment-by-the-governor-which-appointment-shall-expire-thirty-days--after the--general--assembly--next--convenes.---Within--the--thirty-day-period,-the governor-shall-transmit-an-appointment-to-the-senate-~~

Sec. 22. Section ninety-six point ten (96.10), Code 1979, is amended to read as follows:

96.10 DEPARTMENT OF ~~EMPLOYMENT--SECURITY~~ JOB SERVICE. There is established an Iowa department of job service. The chief executive officer of the department is the director of job service who shall be appointed by the governor ~~with-the-approval-of-two-thirds-of-the--members--of~~ subject to confirmation by the senate and shall serve at the pleasure of the governor. The director shall be selected solely on the ability to administer the duties and functions granted to the department and shall devote full time to the duties of director. If the office of director becomes vacant ~~during-a session-of-the-general-assembly~~, the vacancy shall be filled in the same manner as the original appointment was made. ~~Any-vacancy-in-the-office-of director-occurring-while-the-general-assembly-is--not--in--session--shall--be filled--by--appointment-by-the-governor-which-appointment-shall-expire-thirty days-after-the-general-assembly-next-convenes.--Within-the-thirty-day-period, the-governor-shall-transmit-an-appointment-to-the-senate.~~

The salary of the director shall be set by the general assembly.

The director of the department may establish, consolidate, and abolish divisions of the department when necessary for the efficient performance of the various functions and duties of the department of employment security.

Sec. 23. Section ninety-six point eleven (96.11), subsection five (5), paragraph a, Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter thirty-three (33), sections twenty-three (23) and twenty-four (24), is amended to read as follows:

a. There is established a job service advisory council composed of nine members appointed by the governor ~~and-approved-by-two-thirds-of-the-members of~~ subject to confirmation by the senate. Three members shall be appointed to represent employees; three members shall be appointed to represent employers; and three members shall be appointed to represent the general public. Not more than five members of the advisory council shall be members of the same political party. ~~The term-of-office-shall-be-six--years~~ members shall serve six-year staggered terms beginning on-the-first-day-of-July following-their-appointment,-except-that-for-the-initial-board-three--members representing--all--three--categories--shall--be-appointed-for-two-year-terms; three-members-representing-all-three-categories-shall-be-appointed-for--four-year--terms,--and--three--members--representing-all-three-categories-shall-be appointed-for-six-year-terms and ending as provided in section three (3) of this Act. Members shall serve without compensation, but shall be reimbursed for actual and necessary expenses, including travel, incurred for official meetings of the advisory council from funds appropriated to the department.

Vacancies shall be filled for the unexpired term in the same manner as the original appointment was made.

Sec. 24. Section ninety-seven B point eight (97B.8), Code 1979, is amended to read as follows:

97B.8 ADVISORY INVESTMENT BOARD. A board shall be established to be known as the "Advisory Investment Board of the Iowa Public Employees' Retirement System", hereinafter called the "board", whose duties shall be to advise and confer with the department in matters relating to the investment of the trust funds of the Iowa public employees' retirement system. The powers of the board shall be purely advisory and the department shall not be

bound in the making of any investment by the recommendations of the board. The board shall consist of seven members. Five of the members shall be appointed by the governor, one of whom shall be an executive of a domestic life insurance company, one an executive of a state or national bank operating within the state of Iowa, ~~the third shall be~~ one an executive of a major industrial corporation located within the state of Iowa, and two shall be active members of the system, one of whom shall be an employee of a school district, county school system, joint county system or merged area and one of whom shall not be an employee of a school district, county school system, joint county system or merged area. The president of the senate shall appoint one member from the membership of the senate and the speaker of the house of representatives shall appoint one member from the membership of the house. The two members appointed by the president of the senate and the speaker of the house of representatives and the two active members of the system appointed by the governor shall be ex officio members of the board. The members who are executives of a domestic life insurance company, a state or national bank and a major industrial corporation shall be paid their actual expenses incurred in performance of their duties and shall receive in addition ~~thereto~~ the sum of forty dollars for each day of service not exceeding forty days per year. Legislative members shall receive the sum of forty dollars for each day of service and their actual expenses incurred in the performance of their duties. The per diem and expenses of the legislative members shall be paid from funds appropriated under section 2.12. The members who are active members of the system shall be paid their actual expenses incurred in the performance of their duties as members of the board and performance of their duties as members of the board shall not affect their salaries, vacation or leaves of absence for sickness or injury. The appointive terms of the members appointed by the governor shall be for a period of six years ~~dating from July 1 of the year in which they are appointed~~ beginning and ending as provided in section three (3) of this Act. In the event of vacancy, through resignation or any other cause, in the membership of the board, the governor shall have the power of appointment. Appointees to this board shall be subject to confirmation by ~~a two-thirds vote of the senate, but in the event of interim appointments, such confirmation shall be necessary at the next session of the senate.~~

Sec. 25. Section one hundred seven point two (107.2), Code 1979, is amended to read as follows:

107.2 APPOINTMENT. ~~Said~~ The members shall be appointed in each odd-numbered year by the governor ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate. The members shall serve staggered terms of six years beginning and ending as provided in section three (3) of this Act. Vacancies shall be filled for the unexpired term in the same manner as the original appointment was made for the unexpired term.

Sec. 26. Section one hundred fourteen point three (114.3), Code 1979, is amended to read as follows:

114.3 ESTABLISHMENT OF BOARD. There is established a board of engineering examiners which shall consist of five members who are registered professional engineers and two members who are not registered professional

engineers and who shall represent the general public. Members shall be appointed by the governor subject to ~~the approval of two-thirds of the members of~~ confirmation by the senate. A registered member shall be actively engaged in the practice of engineering and shall have been so engaged for five years preceding ~~his~~ the appointment, the last two of which shall have been in Iowa. No two registered members of the board shall be from the same branch of the profession of engineering. Professional associations or societies composed of registered engineers may recommend the names of potential board members to the governor, but the governor shall not be bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of professional engineers.

Sec. 27. Section one hundred fourteen point four (114.4), Code 1979, is amended to read as follows:

114.4 TERMS OF OFFICE. Appointments shall be for three-year terms and shall commence ~~on July first of the year in which the appointment is made and~~ end as provided by section three (3) of this Act. Vacancies shall be filled for the unexpired term by appointment of the governor and shall be subject to senate confirmation. Members shall serve no more than three terms or nine years, whichever is least.

Sec. 28. Section one hundred sixteen point three (116.3), subsection one (1), Code 1979, is amended to read as follows:

1. There is established a board of accountancy. The board of accountancy shall consist of seven members, five of whom shall be certified public accountants and two members who shall not be certified public accountants and who shall represent the general public. A certified member shall be actively engaged in practice as a certified public accountant and shall have been so engaged for five years preceding appointment, the last two of which shall have been in Iowa. Professional associations or societies composed of certified public accountants may recommend the names of potential board members to the governor, but the governor shall not be bound by the recommendations. A board member shall not be required to be a member of any professional association or society composed of certified public accountants. Members shall be appointed by the governor to staggered terms, subject to ~~the approval of two-thirds of the members of~~ confirmation by the senate. The term "board" as used in this chapter means the board of accountancy established by this section. ~~Within sixty days after July 17, 1975, the governor shall appoint the certified public accountant members of the board for terms as follows: Two members for a term ending June 30, 1976, and two members for a term ending June 30, 1977, one member for a term ending June 30, 1978. Within sixty days after July 17, 1975, the governor shall appoint the members representing the general public, one member for a term ending June 30, 1976 and one member for a term ending June 30, 1978.~~ Upon the expiration of each of the terms and of each succeeding term, a successor shall be appointed for a term of three years beginning and ending as provided in section three (3) of this Act. Members shall serve a maximum of three terms or nine years, whichever is less. Vacancies occurring in the membership of the board for any cause shall be filled in the same manner by

the governor for the unexpired term and shall be subject to senate confirmation. The public members of the board of accountancy shall be allowed to participate in administrative, clerical, or ministerial functions incident to giving the examination, but shall not determine the content of the examination or determine the correctness of the answers.

A member of the board whose term has expired shall continue to serve until ~~his~~ the member's successor is appointed and qualified.

The governor shall remove from the board any member whose certificate as a certified public accountant has been revoked or suspended.

Sec. 29. Section one hundred seventeen point eight (117.8), Code 1979, is amended to read as follows:

117.8 COMMISSION ESTABLISHED. There is established the Iowa real estate commission which shall consist of three members licensed under this chapter and two members not licensed under this chapter and who shall represent the general public. At least one of the licensed members shall be a licensed real estate salesperson, except that if the licensed real estate salesperson becomes a licensed real estate broker during his or her term of office, he or she shall be allowed to complete ~~his~~ the term, but shall not be eligible for reappointment on the commission as a licensed real estate salesperson. A licensed member shall be actively engaged in the real estate business and shall have been so engaged for five years preceding ~~his~~ the appointment, the last two of which shall have been in Iowa. Professional associations or societies of real estate brokers, real estate salespersons or real estate apprentice salespersons may recommend the names of potential commission members to the governor, but the governor shall not be bound by their recommendations. A commission member shall not be required to be a member of any professional association or society composed of real estate brokers or salespersons. Commissioners shall be appointed by the governor subject to ~~the approval of two-thirds of the members--of~~ confirmation by the senate. Appointments shall be for three-year terms and shall ~~commence on July 1 of the year in which the appointment is made~~ and end as provided in section three (3) of this Act. A commissioner shall serve no more than three terms or nine years, whichever is less. No more than one commissioner shall be appointed from a county. A commissioner shall not hold any other elective or appointive state or federal office. Vacancies shall be filled for the unexpired term by appointment of the governor and ~~shall--be~~ are subject to senate confirmation. A majority of the commissioners ~~shall constitute~~ constitutes a quorum.

Sec. 30. Section one hundred eighteen point one (118.1), Code 1979, is amended to read as follows:

118.1 APPOINTMENT OF BOARD. There is established the board of architectural examiners which shall consist of five members who possess a certificate of registration issued under section 118.9 and who have been in active practice of architecture for not less than five years, the last two of which shall have been in Iowa, and two members who do not possess a certificate of registration issued under section 118.9 and who shall represent the general public. Members shall be appointed by the governor subject to ~~the approval of two-thirds of the members--of~~ confirmation by the senate.

Professional associations or societies composed of registered architects may recommend the names of potential board members to the governor but the governor ~~shall~~ is not be bound by the recommendations. A board member ~~shall~~ is not be required to be a member of any professional association or society composed of registered architects. Appointments shall be for three-year terms and shall commence ~~on July 1 of the year in which the appointment is made~~ and end as provided in section three (3) of this Act. Vacancies shall be filled for the unexpired term by appointment of the governor and shall require senate confirmation. Members shall serve no more than three terms or nine years, whichever is less.

Sec. 31. Section one hundred eighteen A point three (118A.3), Code 1979, is amended to read as follows:

118A.3 ESTABLISHMENT OF BOARD. There is established a board of landscape architectural examiners which shall consist of five members who are registered landscape architects and two members who are not registered landscape architects and who shall represent the general public. Members shall be appointed by the governor, subject to ~~the approval of two-thirds of the members of~~ confirmation by the senate. A registered member shall be actively engaged in the practice of landscape architecture or the teaching of landscape architecture in an accredited college or university, and shall have been so engaged for five years preceding ~~his~~ appointment, the last two of which shall have been in Iowa. Professional associations or societies composed of registered landscape architects may recommend the names of potential board members to the governor, but the governor ~~shall~~ is not be bound by the recommendations. A board member ~~shall~~ is not be required to be a member of any professional association or society composed of professional landscape architects.

Appointments shall be for three-year terms and shall commence ~~on July 1 of the year in which the appointment is made~~ and end as provided in section three (3) of this Act. Vacancies shall be filled for the unexpired term by appointment of the governor and ~~shall be~~ are subject to senate confirmation. Members shall serve no more than three terms or nine years, whichever is less.

~~The initial five members of the board appointed by the governor as registered landscape architects shall meet the qualifications prescribed in this chapter and shall become registered as landscape architects immediately upon confirmation of their respective appointments without examination.~~

Sec. 32. Section one hundred twenty point three (120.3), subsection one (1), Code 1979, is amended to read as follows:

1. There is established a board of watchmaking examiners which shall consist of five members who possess certificates of registration as watchmakers and two members who do not possess certificates of registration as watchmakers and who shall represent the general public. Members shall be appointed by the governor, subject to ~~the approval of two-thirds of the members of~~ confirmation by the senate. A registered member shall be actively engaged in the practice of watchmaking and shall have been so engaged for five years preceding ~~his~~ appointment, the last two of which shall have been in Iowa. Professional associations or societies composed of registered

watchmakers may recommend the names of potential board members to the governor, but the governor shall not be bound by the recommendations. A board member ~~shall~~ is not be required to be a member of any professional association or society composed of professional watchmakers.

Appointments shall be for three-year terms and shall commence ~~on July 1 of the year in which the appointment is made~~ and end as provided in section three (3) of this Act. Vacancies shall be filled for the unexpired term by appointment of the governor and ~~shall be~~ are subject to senate confirmation. Members shall serve a maximum of three terms or nine years, whichever is less.

Sec. 33. Section one hundred twenty-three point six (123.6), Code 1979, is amended to read as follows:

123.6 APPOINTMENT--TERM--QUALIFICATIONS--COMPENSATION. Appointments shall be for ~~five years~~ five-year staggered terms beginning and ending as provided by section three of this Act and shall be made by the governor, subject to confirmation by ~~two-thirds of the senate, within sixty days after the convening of the general assembly each year for the member whose term is to expire on the following July 1.~~ Members of the council shall be chosen on the basis of managerial ability and experience as business executives. Members may be reappointed for one additional term. Each member appointed shall receive full compensation for ~~their~~ the member's services of two thousand five hundred dollars per annum in addition to reasonable and necessary expenses while attending meetings.

Sec. 34. Section one hundred twenty-three point seven (123.7), Code 1979, is amended to read as follows:

123.7 VACANCIES. ~~Any vacancy on said council which may occur when the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days following the organization of the next session of the general assembly. Prior to the expiration of said period of thirty days, the governor shall transmit to the senate for its approval an appointment for the unexpired portion of the regular term.~~ Any vacancy occurring ~~when the general assembly is in session~~ shall be filled in the same manner as regular appointments are made, ~~and before the end of such session, and~~ for the unexpired portion of the regular term.

Sec. 35. Section one hundred twenty-five point eight (125.8), Code 1979, is amended to read as follows:

125.8 DIRECTOR APPOINTED. The director of the department shall be appointed by the governor for a four-year term ~~with the approval of two-thirds of the members of~~ beginning and ending as provided in section three (3) of this Act subject to confirmation by the senate. The director shall be a qualified person who has training or experience in handling substance abuse problems and the ability to organize and otherwise supervise delivery systems providing treatment, intervention and education and prevention services to persons suffering from substance abuse problems. The director shall serve as secretary to the commission.

Sec. 36. Section one hundred thirty-five point two (135.2), Code 1979, is amended to read as follows:

135.2 APPOINTMENT. The governor shall ~~within sixty days after the convening of the general assembly in 1925, and every four years thereafter,~~ appoint to a term of four years commencing and ending as providing in section three (3) of this Act, ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate, a commissioner of public health who shall be qualified in the general field of health administration. Vacancies shall be filled for the unexpired term in the same manner as regular appointments are made.

Sec. 37. Section one hundred thirty-five point sixty-two (135.62), subsection two (2), paragraph b, Code 1979, is amended to read as follows:

b. APPOINTMENTS. Terms of council members shall be six years, beginning ~~July 1 of the year of appointment~~ and ending as provided in section three (3) of this Act. A member shall be appointed in each odd-numbered year to succeed each member whose term expires in that year. Vacancies shall be filled by the governor for the balance of the unexpired term. Each appointment to the council ~~shall be~~ is subject to confirmation by ~~two-thirds of the members of~~ the senate. A council member is ineligible for appointment to a second consecutive term, unless first appointed to an unexpired term of three years or less.

The governor shall designate one of the council members as chairperson. That designation may be changed not later than July 1 of any odd-numbered year, effective on the date of the organizational meeting held in that year under paragraph "c" of this subsection.

~~Notwithstanding the permanent provisions of paragraph "a", the initial appointments to the council shall be made as soon as possible after August 15, 1977. In making these appointments, the governor shall designate one member to serve a term ending June 30, 1979, two members to serve terms ending July 30, 1981, and two members to serve terms ending June 30, 1983. The persons appointed to serve terms ending in 1979 and 1981 may be reappointed to one additional consecutive term.~~

Sec. 38. Section one hundred thirty-five E point two (135E.2), unnumbered paragraphs one (1) and five (5), Code 1979, are amended to read as follows:

There is established a state board of examiners for nursing home administrators which shall consist of nine members appointed by the governor subject to ~~the approval of two-thirds of the members of~~ confirmation by the senate as follows:

Appointments shall be for three-year terms and shall commence ~~on July 1 of the year in which the appointment is made~~ and end as provided in section three (3) of this Act. Vacancies shall be filled for the unexpired term by appointment of the governor and ~~shall be~~ are subject to senate confirmation. Members shall serve no more than three terms or nine years, whichever is least.

Sec. 39. Section one hundred forty-seven point twelve (147.12), Code 1979, is amended to read as follows:

147.12 EXAMINING BOARDS. For the purpose of giving examinations to applicants for licenses to practice the professions for which ~~a license is~~ licenses are required by this title, the governor shall appoint, subject to ~~the approval of two-thirds of the members of~~ confirmation by the senate, a

board of examiners for each of the professions. The board members shall not be required to be members of professional societies or associations composed of members of their professions.

Sec. 40. Section one hundred forty-seven point nineteen (147.19), Code 1979, is amended to read as follows:

147.19 TERMS OF OFFICE. The board members shall serve three-year terms, which shall commence ~~en-July-1-of-the-year-in-which-the-appointment--is--made and end as provided by section three (3) of this Act.~~ Any vacancy in the membership of an examining board shall be filled by appointment of the governor ~~and--shall-be~~ subject to senate confirmation. A member shall serve no more than three terms or nine years.

Sec. 41. Section one hundred fifty-four A point two (154A.2), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

A board for the licensing and regulation of hearing aid dealers is established. The board shall consist of three licensed hearing aid dealers and two members who are not licensed hearing aid dealers who shall represent the general public. Members, who shall be residents of the state of Iowa, shall be appointed by the governor, subject to ~~the-approval-of-two-thirds-of the-members-of~~ confirmation by the senate. A licensed member shall be actively employed as a hearing aid dealer and shall have been so engaged for five years preceding his appointment, the last two of which shall have been in Iowa. ~~However,~~ Hearing aid dealers appointed to the initial board shall have not less than five years experience and shall fulfill the qualifications relating to experience for licensure as provided in this chapter.

Sec. 42. Section one hundred fifty-four A point three (154A.3), Code 1979, is amended to read as follows:

154A.3 TERM OF OFFICE. Appointments shall be for three-year staggered terms and shall commence ~~en-July-1-of-the-year-in-which-the-appointment-is made and end as provided by section three (3) of this Act.~~ Vacancies shall be filled for the unexpired term by appointment of the governor ~~and-shall-be~~ subject to senate confirmation. Members shall serve a maximum of three terms or nine years, whichever is least. ~~For--members--appointed--to--the--initial board,--the-governor-shall-appoint-one-hearing-aid-dealer-for-a-one-year-term, one--hearing-aid-dealer-for-a-two-year-term,--and-one-hearing-aid-dealer-for-a three-year-term,--one-member-representing-the-general-public--for--a--one-year term-and-one-member-representing-the-general-public-for-a-three-year-term.~~

Sec. 43. Section one hundred sixty-nine point five (169.5), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. For the purpose of administering examinations to applicants for license to practice veterinary medicine and performing ~~such~~ other duties, functions and responsibilities as ~~are~~ outlined in this chapter, the governor shall appoint, subject to ~~the--approval--of--two-thirds-of-the-members-of~~ confirmation by the senate, a board of five individuals, three of whom shall be licensed veterinarians and two of whom shall not be licensed veterinarians, but shall be knowledgeable in the area of animal husbandry and who shall represent the general public. The representatives of the general public shall not prepare, grade or otherwise administer examinations to

applicants for license to practice veterinary medicine. ~~Sueh~~ The board shall be known as the Iowa board of veterinary medicine. Each licensed veterinarian shall be actively engaged in veterinary medicine and shall have been so engaged for a period of five years immediately preceding appointment, the last two of which shall have been in Iowa. A member of the board shall not be employed by any wholesale or jobbing house dealing in supplies, equipment or instruments used or useful in the practice of veterinary medicine. The person designated as the state veterinarian shall serve as secretary of the board.

Professional associations or societies composed of licensed veterinarians may recommend the names of potential board members to the governor, but the governor ~~shall~~ is not be bound by the recommendations.

2. The members of the board shall be appointed for a term of three years except ~~at~~ the terms of the members of the initial board shall be rotated in such a manner that at least one member shall retire each year and a successor be appointed. The term of each member shall commence ~~on--July--1--following~~ appointment and end as provided by section three (3) of this Act. Members shall serve no more than three terms or nine years total, whichever is less.

Sec. 44. Section two hundred seventeen point two (217.2), Code 1979, is amended to read as follows:

217.2 COUNCIL ON SOCIAL SERVICES. There is hereby created within the department of social services a council on social services which shall act in a policy-making and advisory capacity on matters within the jurisdiction of the department. The council shall consist of five members appointed by the governor ~~with--the--consent--of--two--thirds--of~~ subject to confirmation by the senate. Appointments shall be made on the basis of interest in public affairs, good judgment, and knowledge and ability in the field of social services. ~~Sueh--appointments~~ Appointments shall be made to provide a diversity of interest and point of view in the membership and without regard to religious opinions or affiliations. ~~The--term--of--each--member~~ Members of the council shall be serve for ~~six--years,--except--that--these--initially~~ appointed--shall--serve--as--follows:

~~One--member--shall--serve--until--June--30,--1969.~~

~~Two--members--shall--serve--until--June--30,--1971.~~

~~Two--members--shall--serve--until--June--30,--1973~~ six-year staggered terms.

Each term shall commence ~~on--July--1--of--the--year--of--appointment~~ and end as provided by section three (3) of this Act.

All members of the council shall be electors of the state of Iowa. No more than three ~~sueh~~ members shall belong to the same political party and no two ~~sueh~~ members shall, at the time of appointment, reside in the same congressional district. Vacancies occurring during a term of office shall be filled in the same manner as the original appointment for the balance of the unexpired term subject to confirmation by ~~two--thirds--of~~ the senate ~~within~~ sixty--days--of--convening--at--its--next--regular--session.

Sec. 45. Section two hundred seventeen point five (217.5), Code 1979, is amended to read as follows:

217.5 COMMISSIONER OF SOCIAL SERVICES. There shall be a commissioner of social services who shall be the chief administrative officer for the

department of social services. He The commissioner shall be appointed by the governor ~~with the approval and confirmation of two-thirds of~~ subject to confirmation by the senate and shall serve at the pleasure of the governor. The governor shall fill a vacancy in this office in the same manner as the original appointment was made. ~~If the vacancy occurs while the general assembly is not in session, such appointment shall be reported to the senate within thirty days of its convening at its next regular session for confirmation.~~ Such commissioner shall be selected primarily for his administrative ability.

He The commissioner shall not be selected on the basis of his political affiliation and shall not engage in political activity while ~~he holds~~ holding this position.

Sec. 46. Section two hundred twenty point two (220.2), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. The Iowa housing finance authority is established, and constituted a public instrumentality and agency of the state exercising public and essential governmental functions, established to undertake programs which assist in attainment of adequate housing for low or moderate income families, elderly families, families which include one or more persons who are handicapped or disabled, and the Iowa homesteading program. The powers of the authority shall be vested in and exercised by a board of nine members appointed by the governor ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate. No more than five members shall belong to the same political party. As far as possible the governor shall include within the membership persons who represent community and housing development industries, housing finance industries, real estate sales industry, elderly families, minorities, lower income families, very low income families, handicapped and disabled families, average taxpayers, local government, and any other person specially interested in community housing.

2. Members of the authority shall be appointed by the governor for ~~a term staggered terms~~ of six years, ~~except that, of the first appointments, three members shall be appointed for a term of two years, and three members shall be appointed for a term of four years~~ beginning and ending as provided in section three (3) of this Act. A person appointed to fill a vacancy shall serve only for the unexpired portion of the term. A member is eligible for reappointment. A member of the authority may be removed from office by the governor for misfeasance, malfeasance or willful neglect of duty or other just cause, after notice and hearing, unless the notice and hearing is expressly waived in writing.

Sec. 47. Section two hundred twenty point six (220.6), subsection one (1), Code 1979, is amended to read as follows:

1. The governor, ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate, shall appoint an executive director of the authority, who shall serve at the pleasure of the governor. The executive director shall be selected primarily for administrative ability and knowledge in the field, without regard to political affiliation. The executive director shall not, directly or indirectly, exert influence to induce any other officers or employees of the state to adopt a political view, or to favor a political candidate for office.

Sec. 48. Section two hundred twenty-five B point three (225B.3), subsection one (1), Code 1979, is amended to read as follows:

1. There is established a state mental health advisory council consisting of eleven members appointed to three-year staggered terms by the governor, ~~who shall designate,~~ subject to senate confirmation, ~~---four--of--the--initial appointees--under--this--subsection--to--serve--terms--expiring--June--30--1981--four to--serve--terms--expiring--June--30--1980--and--three--to--serve--terms--expiring--June 30--1979.~~ Successors to the initial appointees ~~under--this--section~~ shall each serve a term ~~of--three--years~~ beginning ~~July--1--of--the--year--of--appointment~~ and ending as provided by section three (3) of this Act. Vacancies shall be filled by the appropriate appointing authority for the balance of the unexpired term. Members of the advisory council who are not state employees ~~shall--be~~ are entitled to forty dollars per diem for each day devoted to the duties of their office, and all members ~~shall--be~~ are entitled to reimbursement for actual and necessary expenses incurred in attending meetings of the advisory council or in otherwise discharging their duties. The governor shall make appointments to the advisory council so that, if possible, the composition of the council will comply with the pertinent requirements of ~~the--United--States--Public--Law--(P.L. Pub. L. No. 94-63).~~

Sec. 49. Section two hundred forty-nine B point five (249B.5), Code 1979, is amended to read as follows:

249B.5 EXECUTIVE DIRECTOR. The governor ~~with--the--consent--of--two--thirds of--the--members--of~~ subject to confirmation by the senate shall appoint an executive director who shall serve as executive officer of the commission. Notwithstanding the provisions of section 19A.3, the executive director ~~shall be~~ is subject to the state merit system in matters related to salary and benefits.

Sec. 50. Section two hundred fifty-seven point one (257.1), Code 1979, is amended to read as follows:

257.1 STATE BOARD ESTABLISHED. There is hereby established a state board of public instruction for the state of Iowa. The state board of public instruction, hereinafter called the state board, shall consist of nine members who shall be appointed by the governor ~~with--the--approval--of--two--thirds--of--the--members--of~~ subject to confirmation by the senate. Not more than five members shall be of the same political party.

Sec. 51. Section two hundred fifty-seven point three (257.3), Code 1979, is amended to read as follows:

257.3 TERMS. The terms of members of the state board shall be for six years beginning ~~on--the--second--secular--day--in--January--following--their appointment~~ and ending as provided in section three (3) of this Act.

At the first meeting of the board in each even-numbered year the board shall elect a president and vice president who shall serve for two years.

Sec. 52. Section two hundred fifty-seven point four (257.4), Code 1979, is amended to read as follows:

257.4 OATH--VACANCIES. The members of the state board shall qualify by taking the regular oath of office as prescribed by law for state officers. ~~All--vacancies--on--said--board--which--may--occur--when--the--general--assembly--is--not in--session--shall--be--filled--by--appointment--by--the--governor--which--appointment~~

~~shall expire at the end of thirty days after the general assembly next convenes. Vacancies occurring during a session of the general assembly shall be filled before the end of said session in the same manner in which regular appointments are required to be made.~~

Sec. 53. Section two hundred sixty-two point two (262.2), Code 1979, is amended to read as follows:

262.2 TERM OF OFFICE. The term of each member of ~~said~~ the board shall be for six years. The terms of three members of the board shall begin and expire on the first day of July of in each odd-numbered year as provided in section three (3) of this Act.

Sec. 54. Section two hundred sixty-two point six (262.6), Code 1979, is amended to read as follows:

~~262.6 VACANCIES. All vacancies on said board which may occur when the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days after the general assembly next convenes. Vacancies occurring during a session of the general assembly shall be filled before the end of said session in the same manner in which regular appointments are required to be made.~~

Sec. 55. Section three hundred four A point three (304A.3), Code 1979, is amended to read as follows:

304A.3 DIRECTOR APPOINTED. The council shall have a single executive who shall be known as the director of the Iowa state arts council and who shall be attached to the office of the governor. The director shall be nominated by the council and appointed by the governor ~~with the consent of two-thirds of~~ subject to confirmation by the senate to serve at the pleasure of the governor for a term ~~which shall be coterminous with the term for which the governor was elected~~ of four years beginning and ending as provided in section three (3) of this Act in the year of the governor's inauguration.

Sec. 56. Section three hundred seven point three (307.3), Code 1979, is amended to read as follows:

307.3 TRANSPORTATION COMMISSION. There is created a state transportation commission which shall consist of seven members, not more than four of whom shall be from the same political party. The governor shall appoint the members of the state transportation commission for a term of four years beginning and ending as provided by section three (3) of this Act, subject to the confirmation ~~of~~ by the senate.

The commission shall meet in July of each year for the purpose of electing one of its members as ~~chairman~~ chairperson.

Sec. 57. Section three hundred seven point five (307.5), Code 1979, is amended to read as follows:

307.5 VACANCIES ON COMMISSION. ~~Any vacancy on the commission which may occur when the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days following the convening of the next session of the general assembly. Prior to the expiration of the thirty-day period, the governor shall transmit to the senate for its approval the name of the appointee for the unexpired portion of the regular term. Any vacancy occurring when the general assembly is in session shall be filled in the same manner as regular~~

appointments are made, ~~and before the end of such session,~~ and for the unexpired portion of the regular term.

In the event the governor fails to make an appointment to fill a vacancy, or fails to submit the appointment to the senate for confirmation as required by section one (1) of this Act, the senate may make the appointment prior to adjournment of the general assembly.

Sec. 58. Section three hundred seven point fifteen (307.15), Code 1979, is amended to read as follows:

307.15 TRANSPORTATION REGULATION BOARD. The transportation regulation board shall consist of three members, not more than two of whom shall be from the same political party. The governor shall appoint the members of the board for a term of six years beginning and ending as provided by section three (3) of this Act, subject to the confirmation ~~of~~ by the senate.

Sec. 59. Section three hundred seven point sixteen (307.16), Code 1979, is amended to read as follows:

307.16 VACANCIES ON BOARD. ~~Any vacancy on the transportation regulation board which may occur when the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days following the convening of the next session of the general assembly. Prior to the expiration of the thirty day period, the governor shall transmit to the senate for its approval the name of the appointee for the unexpired portion of the regular term.~~ Any vacancy ~~occurring when the general assembly is in session~~ shall be filled in the same manner as regular appointments are made, ~~and before the end of such session,~~ and for the unexpired portion of the regular term.

In the event the governor fails to make an appointment to fill a vacancy, or fails to submit the appointment to the senate for confirmation as required by section one (1) of this Act, the senate may make the appointment prior to the adjournment of the general assembly.

Sec. 60. Section three hundred sixty-eight point nine (368.9), Code 1979, is amended to read as follows:

368.9 BOARD CREATED. A city development board is ~~hereby~~ created. The office for planning and programming shall provide office space, staff assistance, and shall budget funds to cover expenses and compensation of the board and committees. The board consists of three members appointed by the governor ~~with the approval of two-thirds vote of~~ subject to confirmation by the senate. ~~The initial appointments must be for terms of two, four, and six years. Successive appointments~~ Appointments must be for six years six-year staggered terms beginning and ending as provided by section three (3) of this Act, or to fill an unexpired term in case of a vacancy. Members are eligible for reappointment, but no member shall serve more than two complete six-year terms.

Each member is entitled to receive from the state ~~his~~ actual and necessary expenses and forty dollars compensation for each day spent in performance of board duties.

Sec. 61. Section three hundred eighty-four point thirteen (384.13), Code 1979, is amended to read as follows:

384.13 FINANCE COMMITTEE. As used in this division, unless the context otherwise requires, "committee" means the city finance committee. A ten-member city finance committee is hereby created. Members of the committee are:

1. The auditor of state or ~~his~~ the auditor's designee.
2. The state comptroller or ~~his~~ the state comptroller's designee.
3. A designee of the governor.

4. Five city officials who are regularly involved in budget preparation. One official must be from a city with a population of not over two thousand five hundred, one from a city with a population of over two thousand five hundred but not over fifteen thousand, one from a city with a population of over fifteen thousand but not over fifty thousand, one from a city with a population of over fifty thousand and one from any size city. The governor shall select and appoint, ~~with-the-approval-of-two-thirds-of-the-members-of~~ subject to confirmation by the senate, the city officials.

5. One certified public accountant experienced in city accounting, to be selected and appointed by the governor, ~~with-the-approval-of-two-thirds-of-the-members-of~~ subject to confirmation by the senate.

6. One operations research analyst experienced in cost effectiveness analysis of city services to be selected by, and serve at the pleasure of, the legislative council of the general assembly.

City official members and the certified public accountant are appointed for ~~a--four-year--term,--except--that--of-the-initial-appointments,--two-city-official-members-are-to-be-appointed-for--a--two-year--term~~ four-year terms beginning and ending as provided in section three (3) of this Act and the terms of the city official are staggered. When a city official member no longer holds the office which qualified him or her for appointment, he or she may no longer be a member of the committee. Any person appointed to fill a vacancy during a term is appointed to serve for the unexpired portion of the term. Any member is eligible for reappointment, but no member shall be appointed to serve more than two complete terms.

Sec. 62. Section three hundred eighty-seven point two (387.2), subsection one (1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter three (3), section seventeen*(17), is amended to read as follows:

1. Seven citizens of the state appointed by the governor ~~with-the-approval-of-two-thirds-of-the-members--of~~ subject to confirmation by the senate for terms of six years beginning and ending as provided in section three (3) of this Act one of whom shall be elected by the members every two years to serve as chairperson of the committee. One citizen from a city qualifying pursuant to section 387.3 shall be appointed from each congressional district and one citizen shall be appointed from the state at large.

Sec. 63. Section four hundred twenty-one point one (421.1), unnumbered paragraphs three (3) and four (4), Code 1979, are amended to read as follows:

~~Except-for-the-first-appointees,--the-terms-of-members~~ Members of the state board shall be serve for six-years six-year staggered terms beginning on-the first-day-of-July-following--their-appointment and ending as provided by

*Word supplied by Code Editor, §3.1(3), The Code

section three (3) of this Act. ~~No~~ A member who is appointed for a six-year term shall not be permitted ~~to succeed himself~~ a successive term.

Members shall be appointed by the governor subject to confirmation by ~~two-thirds-of-the-members-of~~ the senate. Appointments to the board shall be bipartisan ~~and-of-the-first-appointees, one shall be for two years, one shall be for four years and one shall be for six years.~~

Sec. 64. Section four hundred twenty-one point two (421.2), Code 1979, is amended to read as follows:

421.2 DEPARTMENT OF REVENUE. There is ~~hereby~~ created a department of revenue. The department shall be administered by a director of revenue who shall be appointed by the governor ~~with-the-approval-of-two-thirds-of-the-members-of~~ subject to confirmation by the senate and shall serve at the pleasure of the governor. If the office of the director becomes vacant ~~during-a-session-of-the-general-assembly,~~ the vacancy shall be filled in the same manner as provided for the original appointment. ~~Any-such-vacancy occurring-while-the-general-assembly-is-not-in-session--shall-be--filled--by appointment-by-the-governor, which appointment shall expire thirty days after the--general--assembly--next--convenes,--Within-said-thirty-days-the-governor shall-transmit-an-appointment-to-the-senate.~~ The director may establish, abolish, and consolidate departments within the department of revenue when necessary for the efficient performance of the various functions and duties of the department of revenue.

Sec. 65. Section four hundred forty-one point eight (441.8), unnumbered paragraph four (4), Code 1979, is amended to read as follows:

There is created a commission consisting of the director of revenue, two Iowa assessors appointed by the executive board of the Iowa state association of assessors, and one member appointed by the state board of tax review, and three lay persons appointed by the governor to four years terms beginning and ending as provided by section three (3) of this Act subject to ~~the--approval of--two-thirds--of--the-members-of~~ confirmation by the senate. A majority of the members of the board ~~shall-constitute~~ constitutes a quorum. The lay persons appointed to the commission who are not public employees shall be paid a forty dollar per diem and shall be reimbursed for actual and necessary expenses incurred while on official commission business. All compensation and reimbursements shall be paid by the department of revenue from the appropriation made to it for the fiscal year in which the claim for per diem or expenses is made.

Sec. 66. Section four hundred fifty-five A point four (455A.4), Code 1979, is amended to read as follows:

455A.4 APPOINTMENT. The council shall consist of ten members, nine of whom shall be electors of the state of Iowa and shall be selected from the state at large solely with regard to their qualifications and fitness to discharge the duties of office without regard to their political affiliation. The tenth member shall be the executive director of the department of environmental quality or ~~his~~ the executive director's designee, who shall be a nonvoting member. The appointive members of the council shall be appointed by the governor ~~with-the-approval-of-two-thirds-of-the-members-of~~ subject to confirmation by the senate and shall be appointed for overlapping terms of

six years. The terms of three members of the council shall begin and expire on July 1 of in each odd-numbered year as provided by section three (3) of this Act. ~~Within sixty days following the organization of each regular session of the general assembly held during an odd-numbered year, appointments shall be made of successors to members of the council whose terms of office shall expire on the first of July next thereafter and of members to fill the unexpired portion of vacant terms.~~

Sec. 67. Section four hundred fifty-five A point five (455A.5), Code 1979, is amended to read as follows:

455A.5 VACANCIES. Vacancies ~~occurring while the general assembly is in session~~ shall be filled for the unexpired portion of the term in the same manner as full-term appointments are filled. ~~Vacancies occurring while the general assembly is not in session shall be filled by the governor, but such appointments shall terminate at the end of thirty days after the convening of the next general assembly.~~

Sec. 68. Section four hundred fifty-five B point two (455B.2), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

There is created a department of environmental quality. The chief administrative officer of the department shall be the executive director of environmental quality, who shall be appointed by the governor, ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate, and serve at ~~his~~ the governor's pleasure.

Sec. 69. Section four hundred fifty-five B point four (455B.4), subsection one (1), unnumbered paragraph one (1), subsection two (2), unnumbered paragraph one (1), subsection three (3), unnumbered paragraph one (1), and subsection four (4), unnumbered paragraphs one (1), two (2) and three (3), Code 1979, are amended to read as follows:

The air quality commission shall consist of the president of the Iowa medical society or ~~his~~ the president's designee and the following four members appointed by the governor ~~with the consent of two-thirds of~~ subject to confirmation by the senate:

The water quality commission shall consist of the ~~chairman~~ chairperson of the Iowa development commission or ~~his~~ the chairperson's designee and the following four members appointed by the governor ~~with the consent of two-thirds of~~ subject to confirmation by the senate:

The solid waste disposal commission shall consist of the president of the Iowa engineering society or ~~his~~ the president's designee and the following four members appointed by the governor ~~with the consent of two-thirds of~~ subject to confirmation by the senate:

The chemical technology commission shall consist of the secretary of agriculture, the commissioner of public health, the director of the Iowa natural resources council, the ~~chairman~~ chairperson of the state soil conservation committee, the chief executive of the league of Iowa municipalities, the state conservation director, and the dean, college of agriculture of Iowa ~~State University~~ state university of science and technology, or their designees, a representative of a firm in Iowa actively engaged in the manufacture or formulation of agricultural chemicals, and a farmer experienced in the application of agricultural chemicals to be

appointed by the governor with ~~the consent of two thirds of~~ subject to confirmation by the senate. The members appointed by the governor shall serve four-year terms, ~~except that of the membership of the initial commission, the members appointed by the governor shall be the appointed members of the chemical technology review board abolished by this chapter, whose terms expired on the thirtieth of June, 1974. The terms of these two members shall expire on the thirtieth of June, 1974~~ beginning and ending as provided by section three (3) of this Act.

Any commission member appointed by the governor may be removed by him the governor for cause. The members of each commission shall be electors of the state. The term of office of each appointed member shall be four years, ~~except that of the initial membership of the air quality commission, the water quality commission, and the solid waste disposal commission, the two members appointed to represent the general public shall be appointed to two-year terms.~~ The term of office of each member shall commence ~~on the first day of July of the year of the appointment except that the term of office of the initial membership of the air quality commission, the water quality commission, and the solid waste disposal commission shall be computed as if such appointments were made effective July 1, 1972~~ and end as provided by section three (3) of this Act. Vacancies occurring during a term of office shall be filled by appointment for the balance of the unexpired term subject to ~~the consent of two thirds of~~ confirmation by the senate. No ~~An~~ appointive member shall not be appointed to serve more than two consecutive four-year terms.

Each commission shall meet at least four times a year. Other meetings shall be called by the ~~chairman~~ chairperson or upon written request of a majority of the members of the commission. The ~~chairman~~ chairperson shall preside at all meetings or in his the chairperson's absence the vice ~~chairman~~ chairperson shall preside. The executive director shall attend the meetings of the commissions and act as secretary for them. The members of each commission shall be paid a forty-dollar per diem while in session, and their actual and necessary expenses while attending such meetings. All per diem and expense moneys paid to members shall be paid from funds appropriated to the commission of which they are members.

Sec. 70. Section four hundred fifty-five B point fifty-three (455B.53), unnumbered paragraphs one (1) and four (4), Code 1979, are amended to read as follows:

The governor shall appoint, subject to ~~the approval of two thirds of the members of~~ confirmation by the senate, a board of certification consisting of the following five members:

The members of the board shall be appointed for three-year terms beginning and ending as provided by section three (3) of this Act. Any vacancy shall be filled by appointment for the unexpired term. Members shall be limited to serving three terms or nine years, whichever is less.

Sec. 71. Section four hundred sixty-seven A point four (467A.4), subsections one (1) and three (3), Code 1979, is amended to read as follows:

1. There is hereby established, to serve as an agency of the state and to perform the functions conferred upon it in this chapter, the department of

soil conservation. The department shall be administered in accordance with the policies of the state soil conservation committee, which shall consist of a ~~chairman~~ chairperson and twelve members. The following shall serve as ex officio nonvoting members of the committee: The director of the state agricultural extension service, or ~~his~~ the director's designee, the secretary of agriculture, or ~~his~~ the secretary's designee, the director of the state conservation commission or ~~his~~ the director's designee, and the director of the Iowa natural resources council or ~~his~~ the director's designee. Eight voting members shall be appointed by the governor ~~and confirmed~~ subject to confirmation by the senate. Six of the appointive members shall be persons engaged in actual farming operations, one of whom shall be a resident of each of the six conservancy districts established by section 467D.3, and no more than one of whom shall be a resident of any one county. The seventh and eighth appointive members shall be chosen by the governor from the state at large with one appointed to be a representative of cities and one appointed to be a representative of the mining industry. The committee may invite the secretary of agriculture of the United States to appoint one person to serve with the above-mentioned members, and the president of the Iowa county engineers association may designate a member of the association to serve in the same manner, but these persons shall have no vote and shall serve in an advisory capacity only. The director of the department of environmental quality shall be an ex officio nonvoting member. The committee shall adopt a seal, which seal shall be judicially noticed, and may perform ~~such~~ acts, hold ~~such~~ public hearings, and promulgate ~~such~~ rules as provided in chapter 17A as ~~may be~~ necessary for the execution of its functions under this chapter.

3. The committee shall designate its ~~chairman~~ chairperson, and ~~may, from time to time,~~ change such designation. ~~The director of the state agricultural extension service shall hold office so long as he shall retain the office by virtue of which he shall be serving on the committee.~~ The members appointed by the governor shall serve for a period of six years. Members shall be appointed in each odd-numbered year to succeed members whose terms expire ~~on June 30 of that year~~ as provided by section three (3) of this Act. Appointments may be made at ~~such~~ other times and for ~~such~~ other periods as are necessary to fill vacancies on the committee, ~~and any appointment so made while the general assembly is not in session shall be subject to confirmation by the senate at the next session of the general assembly thereafter.~~ ~~No members~~ Members shall not be appointed to serve more than two complete six-year terms. Members designated to represent the secretary of agriculture, director of the state conservation commission, or the director of the Iowa natural resources council shall serve at the pleasure of the officer making ~~such~~ the designation. A majority of the voting members of the committee ~~shall constitute~~ constitutes a quorum, and the concurrence of a majority of the voting members of the committee in any matter within their duties shall be required for its determination. The ~~chairman~~ chairperson and members of the committee, not otherwise in the employ of the state, or any political subdivision, shall receive forty dollars per diem as compensation for their services in the discharge of their duties as members of the committee. The committee shall determine the number of days for which any

committee member may draw per diem compensation, but the total number of days for which per diem compensation is allowed for the entire committee shall not exceed four hundred days per year. They shall also be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties as members of such the committee. The per diem and expenses paid to the committee members shall be paid from funds appropriated to the committee. The committee shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property, shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions, regulations, and orders issued or adopted, and shall provide for an annual audit of the accounts of receipts and disbursements.

Sec. 72. Section four hundred seventy-four point one (474.1), unnumbered paragraph one (1), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter two (2), section ten (10), is amended to read as follows:

The Iowa state commerce commission shall be composed of three members appointed by the governor and subject to confirmation by the senate, not more than two of whom shall be from the same political party, and each commissioner appointed shall serve for six-year staggered terms beginning and ending as provided by section three (3) of this Act. ~~Within sixty days after the convening of each regular session of the general assembly, the governor shall appoint, with the approval of two-thirds of the senate, a successor to the member of the Iowa state commerce commission whose term will expire on July 1 following.~~ Vacancies ~~occurring while the general assembly is in session~~ shall be filled for the unexpired portion of the term as full-term appointments are filled. ~~Vacancies occurring while the general assembly is not in session shall be filled by the governor, but such appointments shall terminate at the end of thirty days after the convening of the next regular session of the general assembly and the vacancy shall be filled for the unexpired portion of the term as full-term appointments are filled.~~

Sec. 73. Section five hundred five point two (505.2), Code 1979, is amended to read as follows:

505.2 APPOINTMENT AND TERM. The governor shall, ~~within sixty days following the organization of the regular session of the general assembly in 1927, and each four years thereafter,~~ appoint, ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate, a commissioner of insurance, who shall be selected solely with regard to his or her qualifications and fitness to discharge the duties of this position, devote his or her entire time to such duties, and serve for four years ~~from July 1 of the year of appointment~~ beginning and ending as provided by section three (3) of this Act. The governor with the approval of the executive council may remove ~~said the~~ the commissioner for malfeasance in office, or for any cause that renders ~~him~~ the commissioner ineligible, incapable, or unfit to discharge the duties of ~~his~~ the office.

Sec. 74. Section five hundred five point three (505.3), Code 1979, is amended to read as follows:

505.3 VACANCIES. ~~Vacancies that may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days from the time the general assembly next convenes. Prior to the expiration of said thirty days the governor shall transmit to the senate for its confirmation an appointment for the unexpired portion of the regular term.~~ Vacancies occurring during a session of the general assembly shall be filled as regular appointments are made and before the end of said session, and for the unexpired portion of the regular term.

Sec. 75. Section five hundred twenty-four point two hundred one (524.201), Code 1979, is amended to read as follows:

524.201 SUPERINTENDENT OF BANKING.

1. The governor shall, ~~within sixty days following the convening of the regular session of the general assembly in 1973, and each four years thereafter,~~ appoint, with the approval of two thirds of the members of subject to confirmation by the senate, a superintendent of banking. ~~Such~~ The appointee shall be selected solely with regard to his or her qualification and fitness to discharge the duties of office, and no person shall be appointed who has not had at least five years experience in a bank or in the regulation or examination of banks.

2. The superintendent shall have ~~his or her~~ an office at the seat of government. The regular term of office shall be four years ~~from the first day of July of the year of appointment~~ beginning and ending as provided by section three (3) of this Act.

Sec. 76. Section five hundred twenty-four point two hundred three (524.203), Code 1979, is amended to read as follows:

524.203 SUPERINTENDENT--VACANCY. A vacancy in the office of superintendent ~~that may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty days from the time the general assembly next convenes. Prior to the expiration of said thirty days the governor shall transmit to the senate for its confirmation and appointment for the unexpired portion of the regular term.~~ Vacancies occurring during a session of the general assembly shall be filled as regular appointments are made and before the end of said session, and for the unexpired portion of the regular term.

Sec. 77. Section five hundred thirty-three point fifty-three (533.53), subsections one (1) and two (2), Code 1979, are amended to read as follows:

1. A credit union review board is created. The board shall consist of seven members, each of whom shall have been a member in good standing for at least the previous five years of an Iowa state chartered credit union or a credit union chartered under the federal Credit Union Act. Two of the members shall not be credit union directors or employees. ~~Each member~~ The members shall serve for a term of three years except that the terms of the members first appointed after January 1, 1979 shall expire, as designated by the governor at the time of appointment as follows:

a. Two members on June 30, 1980.

b. Two members on June 30, 1981.

~~e. Three members expiring on June 30, 1982~~ three-year staggered terms beginning and ending as provided by section three (3) of this Act.

2. The members of the board shall be appointed by the governor ~~with approval of~~ subject to confirmation by the senate. The governor may appoint the members of the board from a list of nominees submitted to the governor by the credit unions located in the state of Iowa.

Sec. 78. Section five hundred thirty-three point fifty-five (533.55), subsection one (1), Code 1979, is amended to read as follows:

1. The administrator shall be appointed by the governor, subject to ~~the approval~~ confirmation by the senate, and must possess a minimum of five years credit union experience.

Sec. 79. Section six hundred one A point three (601A.3), Code 1979, is amended to read as follows:

601A.3 COMMISSION APPOINTED. The Iowa state civil rights commission shall consist of seven members appointed by the governor ~~with the advice and consent of~~ subject to confirmation by the senate. Appointments shall be made to provide geographical area representation insofar as ~~may be~~ practicable. No more than four members of the commission shall belong to the same political party. Members appointed to the commission shall serve for ~~a term of four years except the initial appointees shall be appointed by the governor to serve as follows:~~

~~1. Three members shall serve from the date of appointment until June 30, 1967.~~

~~2. Four members shall serve from the date of appointment until June 30, 1969~~ four-year staggered terms beginning and ending as provided by section three (3) of this Act.

Vacancies on the commission shall be filled by the governor by appointment for the unexpired part of the term of the vacancy ~~with the advice and consent of the senate if the general assembly shall be in session. Any appointment filling a vacancy occurring while the general assembly is not in session shall be transmitted to the senate for confirmation within thirty days following the convening of the next session of the general assembly or the appointment shall expire.~~ Any commissioner may be removed from office by the governor for cause.

The governor ~~with the consent of two-thirds of the members of~~ subject to confirmation by the senate shall appoint a director who shall serve as the executive officer of the commission.

Sec. 80. Section six hundred one B point one (601B.1), Code 1979, is amended to read as follows:

601B.1 MEMBERSHIP. The Iowa commission for the blind is ~~hereby~~ created. ~~Said~~ The commission shall consist of three members to be appointed by the governor ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate.

Sec. 81. Section six hundred one B point two (601B.2), Code 1979, is amended to read as follows:

601B.2 TENURE. ~~Prior to July 1 of each year, the governor shall appoint a member of said board to succeed the member whose term of office expires on said date.~~ All such appointees shall serve for a ~~period of three years from~~

~~July--1--of--the--year--of--appointment~~ three-year staggered terms beginning and ending as provided in section three (3) of this Act. No more than two members shall be from the same political party.

Sec. 82. Section six hundred five point twenty-six (605.26), unnumbered paragraph one (1), Code 1979, is amended to read as follows:

A "Commission on Judicial Qualifications" is hereby created consisting of one district court judge and two members who are practicing attorneys in Iowa licensed under the provisions of chapter 610 and are not of the same political affiliation, appointed by the chief justice of the supreme court, and four electors of the state who are not attorneys, no more than two of whom shall belong to the same political party, to be appointed by the governor and subject to confirmation by ~~a--vote--of--two-thirds--of--the--membership--of~~ the senate. The commission members shall serve for six-year terms, shall be ineligible for a second term, shall hold no other office of and shall not be employed by the United States or the state of Iowa or of its political subdivisions, except for the judicial member. ~~The--first--commission--members--shall--take--office--January--1,--1974,---initially,--two--members--shall--serve--for--two--years,--two--for--four--years,--and--three--for--six--years,--as--shall--be--determined--by--lot--among--the--first--commission--members.~~ Members appointed by the chief justice shall serve terms beginning January first and members appointed by the governor shall serve staggered terms beginning and ending as provided by section three (3) of this Act. Vacancies shall be filled by appointment by the chief justice or governor as the case may be, for the unexpired portion of the term of the previous commission member.

Sec. 83. Section nine hundred four point one (904.1), Code 1979, is amended to read as follows:

904.1 BOARD OF PAROLE. The board of parole shall consist of five electors of the state. Not more than three members shall belong to the same political party. At least two members shall be practicing attorneys-at-law at the time of appointment. Each member shall serve ~~for a term of~~ five years ~~from--July--1--of--the--year--of--appointment~~ beginning and ending as provided by section three (3) of this Act, except appointees to fill vacancies who shall serve for the balance of the unexpired term. The chairperson of the board shall be elected by the members of the board to a term of one year and may serve more than one term. A majority of the members of the board shall ~~constitute~~ constitutes a quorum to transact business.

Sec. 84. Section nine hundred four point two (904.2), Code 1979, is amended to read as follows:

904.2 APPOINTMENT TO BOARD OF PAROLE. The governor shall ~~during each regular session of the general assembly and within sixty days after the convening thereof,~~ appoint, ~~with the approval of two-thirds of the members of~~ subject to confirmation by the senate, a successor to that member of the board whose term will expire ~~on July 1 following~~ as provided by section three (3) of this Act. ~~Appointments may be made when the general assembly is not in session, to fill vacancies, but such appointments shall be subject to the approval of two-thirds of the members of the senate when next in session.~~ Vacancies ~~occurring during a session of the general assembly~~ shall be filled as regular appointments are made ~~and before the end of said session,~~ and for the unexpired portion of the regular term.

Sec. 85. Acts of the Sixty-eighth General Assembly, 1979 Session, chapter forty-one (41), section two (2), subsections one (1) and two (2), are amended to read as follows:

1. There is created a commission on professional and occupational regulation. The commission shall be bipartisan and shall be composed of the following members:

a. Two senators, not more than one from the same political party, appointed by the president of the senate.

b. Two representatives, not more than one from the same political party, appointed by the speaker of the house.

c. Five persons, not more than three from the same political party, appointed by the governor ~~and confirmed by two-thirds of the members of~~ subject to confirmation by the senate.

2. A commission member shall be appointed for a term of four years. The terms of members appointed by the governor shall commence and end as provided by section three (3) of this Act. A member shall serve until a successor is appointed. A vacancy on the commission shall be filled by the original appointing authority for the remainder of the term. A vacancy shall exist whenever a commission member ceases to be a member of the house from which the member was appointed. A member of the commission shall not be a member of a licensed profession or occupation.

Sec. 86. Sections ninety-one point three (91.3), one hundred seven point three (107.3), one hundred seven point four (107.4), one hundred thirty-five point four (135.4), one hundred thirty-five point five (135.5) and two hundred sixty-two point three (262.3), Code 1979, are repealed.

Sec. 87. The repeal in this Act of provisions relating to initial appointments by the governor does not affect the validity of those appointments and does not change the year in which the initial terms and subsequent terms begin and expire. The term of any person presently holding a position by appointment of the governor which is subject to senate confirmation under this Act shall begin and expire as provided in section three (3) of this Act in the year of its beginning and expiration. The length of terms and limitations on maximum terms provided by law for the terms affected by section three (3) of this Act are adjusted as necessary during the period of time required to bring all affected terms into compliance with section three (3) of this Act.

Sec. 88. This Act takes effect January first following its enactment.

Approved April 1, 1980