

CHAPTER 1223**COMPENSATION, POWERS, AND DUTIES OF LIEUTENANT GOVERNOR
AND GENERAL ASSEMBLY MEMBERS***S.F. 2426*

AN ACT relating to persons who act as the president of the senate, providing for the term of office of the president of the senate, providing authorization for the compensation of the lieutenant governor in executive branch Code provisions, removing the lieutenant governor from membership on the legislative council, making the president of the senate, the speaker pro tempore, and two additional minority party members legislative council members, making changes in the manner of appointment of senate members of certain boards, commissions, agencies, councils, associations, and statutory committees, and providing an effective date.

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

Section 1. Section 2.7, Code 1989, is amended to read as follows:

2.7 OFFICERS — TENURE.

The president ~~pro tempore~~ of the senate and the speaker of the house of representatives shall hold their offices until the first day of the meeting of the next general assembly. All other officers elected by either house shall hold their offices for the same terms, unless sooner removed, except as may be otherwise provided by resolution or rules of the general assembly.

Sec. 2. Section 2.10, unnumbered paragraph 1, and subsections 5 and 6, Code Supplement 1989, are amended to read as follows:

Members of the general assembly ~~and the lieutenant governor~~ shall receive salaries and expenses as provided by this section.

5. The director of revenue and finance shall pay the travel and expenses of the members of the general assembly ~~and the lieutenant governor~~ commencing with the first pay period after the names of such persons are officially certified. The salaries of the members of the general assembly ~~and lieutenant governor~~ shall be paid pursuant to any of the following alternative methods:

a. During each month of the year at the same time state employees are paid.

b. During each pay period during the first six months of each calendar year.

c. During the first six months of each calendar year by allocating two-thirds of the annual salary to the pay periods during those six months and one-third of the annual salary to the pay periods during the second six months of a calendar year. Each member of the general assembly ~~and the lieutenant governor~~ shall file with the director of revenue and finance a statement as to the method the member selects for receiving payment of salary. The presiding officers of the two houses of the general assembly shall jointly certify to the director of revenue and finance the names of the members, officers, and employees of their respective houses and the salaries and mileage to which each is entitled. Travel and expense allowances shall be paid upon the submission of vouchers to the director of revenue and finance indicating a claim for the same.

6. In addition to the salaries and expenses authorized by this section, members of the general assembly shall be paid forty dollars per day, except the speaker of the house who shall be paid sixty dollars per day, and necessary travel and actual expenses incurred in attending meetings for which per diem or expenses are authorized by law for members of the general assembly who serve on statutory boards, commissions, or councils, and for standing or interim committee or subcommittee meetings subject to the provisions of section 2.14, or when on authorized legislative business when the general assembly is not in session. However, if a member of the general assembly ~~or the lieutenant governor~~ is engaged in authorized legislative business at a location other than at the seat of government during the time the general assembly is in session, payment may be made for the actual transportation and lodging costs incurred because of the business. Such per diem or expenses shall be paid promptly from funds appropriated pursuant to section 2.12.

Sec. 3. Section 2.12, unnumbered paragraphs 1 through 3, Code 1989, are amended to read as follows:

There is appropriated out of any funds in the state treasury not otherwise appropriated a sum sufficient to pay for legislative printing and all current and miscellaneous expenses of the general assembly, authorized by either the senate or the house, and the director of revenue and finance shall issue warrants for such items of expense upon requisition of the president, majority leader, and secretary of the senate or the speaker and chief clerk of the house.

There is appropriated out of any funds in the state treasury not otherwise appropriated, such sums as are necessary, for each house of the general assembly for the payment of any unpaid expense of the general assembly incurred during or in the interim between sessions of the general assembly, including but not limited to salaries and necessary travel and actual expenses of members, expenses of standing and interim committees or subcommittees, and per diem or expenses for members of the general assembly who serve on statutory boards, commissions, or councils for which per diem or expenses are authorized by law. The director of revenue and finance shall issue warrants for such items of expense upon requisition of the president, majority leader, and secretary of the senate for senate expense or the speaker and chief clerk of the house for house expense.

There is appropriated out of any funds in the state treasury not otherwise appropriated, such sums as are necessary for the renovation, remodeling, or preparation of the legislative chambers, legislative offices, or other areas or facilities used or to be used by the legislative branch of government, and for the purchase of legislative equipment and supplies deemed necessary to properly carry out the functions of the general assembly. The director of revenue and finance shall issue warrants for such items of expense, whether incurred during or between sessions of the general assembly, upon requisition of the president, majority leader, and secretary of the senate for senate expense or the speaker and chief clerk of the house for house expense.

Sec. 4. Section 2.13, Code 1989, is amended to read as follows:

2.13 ISSUANCE OF WARRANTS.

The director of revenue and finance shall also issue to each officer and employee of the general assembly, during legislative sessions or interim periods, upon vouchers signed by the president, majority leader, and secretary of the senate or the speaker and chief clerk of the house, warrants for the amount due for services rendered. The warrants shall be paid out of any moneys in the treasury not otherwise appropriated.

Sec. 5. Section 2.35, unnumbered paragraph 1, Code 1989, is amended to read as follows:

A communications review committee is established, consisting of three members of the senate appointed by the majority leader, president of the senate, after consultation with the majority leader and the minority leader of the senate, and three members of the house of representatives appointed by the speaker of the house. The committee shall select a chairperson and vice chairperson. Meetings may be called by the chairperson or a majority of the members.

Sec. 6. Section 2.41, Code 1989, is amended to read as follows:

2.41 LEGISLATIVE COUNCIL CREATED.

A continuing legislative council of ~~twenty~~ twenty-four members is created. The council is composed of the president and president pro tempore of the senate, the speaker and speaker pro tempore of the house of representatives, the majority and minority floor leaders of the senate, the chairperson of the senate committee on appropriations, the minority party ranking member of the senate committee on appropriations, five ~~five~~ six members of the senate appointed by the majority leader of the senate, the majority and minority floor leaders of the house of representatives, the chairperson of the house committee on appropriations, the minority party ranking member of the house committee on appropriations, and ~~five~~ six members of the house of representatives appointed by the speaker of the house of representatives. ~~The lieutenant governor shall be an ex officio nonvoting member of the council. Of the five six~~ members appointed by the majority leader of the senate and speaker of the house, three from each house

shall be appointed from the majority party and ~~two~~ three from each house shall be appointed from the minority party. Members shall be appointed prior to the fourth Monday in January of the first regular session of each general assembly and shall serve for two-year terms ending upon the convening of the following general assembly or when their successors are appointed. Vacancies on the council, including vacancies which occur when a member of the council ceases to be a member of the general assembly, shall be filled by the majority leader of the senate and the speaker of the house respectively. Insofar as possible at least two members of the council from each house shall be reappointed. The council shall hold regular meetings at a time and place fixed by the council and shall meet at any other time and place as the council deems necessary.

Sec. 7. Section 2.91, subsection 1, Code 1989, is amended to read as follows:

1. An Iowa boundary commission is established, consisting of three members of the senate appointed by the ~~majority leader~~ president of the senate, after consultation with the majority leader and the minority leader of the senate, and three members of the house of representatives appointed by the speaker of the house. The commission shall select a chairperson and shall meet at the call of the chairperson.

Sec. 8. Section 7.8, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The salary, payment of expenses, and any per diem of the lieutenant governor shall be as fixed by the general assembly.

Sec. 9. Section 15.103, unnumbered paragraph 1, Code 1989, is amended to read as follows:

The Iowa economic development board is created, consisting of eleven voting members appointed by the governor and seven ex officio nonvoting members. The ex officio nonvoting members are four legislative members; one president, or the president's designee, of the University of Northern Iowa, the University of Iowa, or Iowa State University of science and technology designated by the state board of regents on a rotating basis; and one president, or the president's designee, of a private college or university appointed by the Iowa association of independent colleges and universities; and one superintendent, or the superintendent's designee, of a merged area school, appointed by the Iowa association of community college presidents. The legislative members are two state senators, one appointed by the ~~majority leader~~ president* of the senate, after consultation with the majority leader of the senate, and one appointed by the minority leader of the senate, after consultation with the president of the senate, from their respective parties; and two state representatives, one appointed by the speaker and one appointed by the minority leader of the house of representatives from their respective parties. Not more than six of the voting members shall be from the same political party. The secretary of agriculture shall be one of the voting members. The governor shall appoint the remaining ten voting members of the board for a term of four years beginning and ending as provided by section 69.19, subject to confirmation by the senate, and the governor's appointments shall include persons knowledgeable of the various elements of the department's responsibilities.

Sec. 10. Section 18A.1, subsection 1, Code 1989, is amended to read as follows:

1. Four members of the general assembly serving as ex officio nonvoting members, two to be appointed by the speaker of the house from the membership of the house, and two to be appointed by the ~~president of the senate,~~ president of the senate, after consultation with the majority leader and the minority leader of the senate, from the membership of the senate.

Sec. 11. Section 18A.2, subsection 2, Code 1989, is amended to read as follows:

2. The legislative members of the commission shall be appointed to four-year terms of office, two of which shall expire every two years unless sooner terminated by a commission member ceasing to be a member of the general assembly. Vacancies shall be filled by appointment of the speaker of the house or the ~~majority leader~~ president of the senate, after consultation with the majority leader and the minority leader of the senate, as the case may be, for the unexpired term of their predecessors.

*Word "president" should have been underscored

Sec. 12. Section 28.154, subsection 1, paragraph b, unnumbered paragraph 2, Code Supplement 1989, is amended to read as follows:

Four board members, with one board member appointed by each of the following persons: the speaker of the house of representatives, the minority leader of the house of representatives, the president of the senate after consultation with the majority leader and the minority leader of the senate, and the minority leader of the senate, after consultation with the president of the senate.

Sec. 13. Section 38.2, subsection 2, Code 1989, is amended to read as follows:

2. One member shall be selected by the majority leader president of the senate after consultation with the majority leader and the minority leader of the senate.

Sec. 14. Section 68B.10, unnumbered paragraph 3, Code 1989, is amended to read as follows:

Each The president pro tempore of the senate is designated as chairperson of the senate committee. The house committee shall elect a chairperson and. The chairperson of each committee shall have the following powers, duties and functions:

Sec. 15. Section 80B.6, unnumbered paragraph 2, Code 1989, is amended to read as follows:

One senator appointed by the majority leader president of the senate after consultation with the majority leader and the minority leader of the senate and one representative appointed by the speaker of the house are also ex officio, nonvoting members of the council.

Sec. 16. Section 93.11, subsection 3, Code 1989, is amended to read as follows:

3. An energy fund disbursement council is established. The council shall be composed of the governor or the governor's designee, the director of the department of management, who shall serve as the council's chairperson, the administrator of the division of community action agencies of the department of human rights, the administrator of the energy and geological resources division of the department of natural resources, and a designee of the director of the department of transportation, who is knowledgeable in the field of energy conservation. The council shall include as nonvoting members two members of the senate appointed by the majority leader president of the senate, after consultation with the majority leader and the minority leader of the senate, and two members of the house of representatives appointed by the speaker of the house. The legislative members shall be appointed upon the convening and for the period of each general assembly. Not more than one member from each house shall be of the same political party. The council shall be staffed by the energy and geological resources division of the department of natural resources. The attorney general shall provide legal assistance to the council.

Sec. 17. Section 97B.8, unnumbered paragraph 2, Code 1989, is amended to read as follows:

The board consists of nine members. Six of the members shall be appointed by the governor. One member 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, one an executive of a major industrial corporation located within the state of Iowa, and three shall be members of the system, one of whom shall be an active member who is an employee of a school district, area education agency, or merged area, one of whom shall be an active member who is not an employee of a school district, area education agency, or merged area, and one of whom is a retired member of the system. The majority leader president of the senate, after consultation with the majority leader and the minority leader 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 majority leader president of the senate, after consultation with the majority leader and the minority leader of the senate, and the speaker of the house of representatives and the two active members of the system appointed by the governor are ex officio members of the board. The director of the department of personnel is an ex officio, nonvoting member of the board.

Sec. 18. Section 135.13, subsection 1, Code Supplement 1989, is amended to read as follows:

1. The office of rural health is established within the department. There is established an advisory committee to the office of rural health consisting of one representative, approved by the respective agency, of each of the following agencies: the department of human services, the department of agriculture and land stewardship, the Iowa department of public health, the department of inspections and appeals, the national institute for rural health policy, the rural health resource center, the institute of agricultural medicine and occupational health, the Iowa state association of counties, and the health policy corporation of Iowa. The governor shall appoint a representative of each of two farm organizations active within the state, a representative of an agricultural business in the state, a practicing rural family physician, and a rural health practitioner who is not a physician as members of the advisory committee. Two state senators appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate, and two state representatives appointed by the speaker of the house of representatives shall also be members of the advisory committee. Of the members appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate, and the speaker of the house of representatives, not more than one from each house shall be a member of the same political party.

Sec. 19. Section 145.2, unnumbered paragraph 2, Code 1989, is amended to read as follows:

The commission consists of the director of the department of elder affairs, the commissioners of insurance and human services, the director of public health, one state senator and one state representative who shall not be of the same party, shall be nonvoting members, and shall be appointed each year by the majority leader president of the senate, after consultation with the majority leader and minority leader of the senate, and speaker of the house, respectively, and the chairperson of the board of directors of the corporation or the head of the association or other entity providing staff for the commission as provided by section 145.3 who shall be a nonvoting member. The commissioner and director members shall annually select the chairperson of the commission from among the four voting commission members. A majority of the seven members including at least two voting members constitutes a quorum.

Sec. 20. Section 183.1, article III, paragraph a, subparagraph 1, Code 1989, is amended to read as follows:

1. There is hereby created an agency of the member states to be known as the interstate agricultural grain marketing commission, hereinafter called the commission. The commission shall consist of three residents of each member state who shall have an agricultural background and who shall be appointed as follows: One member appointed by the governor, who shall serve at the pleasure of the governor; one senator appointed in the manner prescribed by the senate of the state, except that in Iowa the appointment shall be made by the president of the senate, after consultation with the majority leader and the minority leader of the senate, and except that two senators may be appointed by the governor of the state of Nebraska from the unicameral legislature of the state of Nebraska; and one member of the house of representatives appointed in the manner prescribed by the house of representatives of the state. The member first appointed by the governor shall serve for a term of one year and the senator and representative first appointed shall each serve for a term of two years. Thereafter all members appointed shall serve for two-year terms. The attorneys general of member states or assistants designated by the attorneys general shall be nonvoting members of the commission.

Sec. 21. Section 249A.4, subsection 8, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

Shall advise and consult at least semiannually with a council composed of the president, or the president's representative who is a member of the professional organization represented by the president, of the Iowa medical society, the Iowa osteopathic medical association, the Iowa state dental society, the Iowa state nurses association, the Iowa pharmacists association, the Iowa podiatry society, the Iowa optometric association, the community mental health centers association of Iowa, the Iowa psychological association, the Iowa hospital association, the Iowa

osteopathic hospital association, opticians' association of Iowa, Inc., the Iowa hearing aid society, the Iowa speech, language, and hearing association, the Iowa health care association, the Iowa association for home care, the Iowa council of health care centers, and the Iowa association of homes for the aging, together with one person designated by the Iowa state board of chiropractic examiners; one state representative from each of the two major political parties appointed by the speaker of the house, one state senator from each of the two major political parties appointed by the majority leader president of the senate, after consultation with the majority leader and the minority leader of the senate, each for a term of two years; the president or the president's representative of the association for retarded citizens; four public representatives, appointed by the governor for staggered terms of two years each, none of whom shall be members of, or practitioners of, or have a pecuniary interest in any of the professions or businesses represented by any of the several professional groups and associations specifically represented on the council under this subsection, and at least one of whom shall be a recipient of medical assistance; the director of public health, or a representative designated by the director; and the dean of the college of medicine, university of Iowa, or a representative designated by the dean.

Sec. 22. Section 249D.11, Code 1989, is amended to read as follows:

249D.11 COMMISSION ESTABLISHED.

The commission of elder affairs is established which shall consist of eleven members. Two members shall be appointed by the majority leader president of the senate, after consultation with the majority leader and the minority leader of the senate, from the members of the senate to serve as ex officio nonvoting members with no more than one member being appointed from the same political party. Two members shall be appointed by the speaker of the house of representatives from the members of the house to serve as ex officio nonvoting members with no more than one member being appointed from the same political party. Seven members shall be appointed by the governor subject to confirmation by the senate. Not more than a simple majority of the governor's appointees shall belong to the same political party. At least four of the seven members appointed by the governor shall be fifty-five years of age or older when appointed.

Sec. 23. Section 256.32, subsection 2, paragraph g, Code 1989, is amended to read as follows:

g. A member of each house of the general assembly. This membership shall be bipartisan in composition and shall be selected by the majority leader president of the senate, after consultation with the majority leader and the minority leader of the senate, and the speaker of the house.

Sec. 24. Section 261.1, subsection 4, Code Supplement 1989, is amended to read as follows:

4. A member of the senate to be appointed by the majority leader president of the senate, after consultation with the majority leader and the minority leader of the senate, to serve as an ex officio nonvoting member for a term of four years beginning on July 1 of the year of appointment.

Sec. 25. Section 306.6, subsection 2, unnumbered paragraph 1, Code 1989, is amended to read as follows:

A state functional classification review board is created, consisting of one state senator appointed by the majority leader president of the senate, after consultation with the majority leader and the minority leader of the senate, one state representative appointed by the speaker of the house of representatives, one supervisor appointed by the Iowa state association of county supervisors, one engineer appointed by the Iowa county engineers' association, two persons appointed by the league of Iowa municipalities, one of whom shall be a licensed professional engineer, and two persons appointed by the department, one of whom shall be a commissioner and the other a staff member. This board shall select a permanent chairperson from among its members by majority vote of the total membership. Except as otherwise provided, the

members of the board shall serve without additional compensation to the salary and expenses authorized for the office or position held by the member. The supervisor appointed by the Iowa state association of county supervisors, the engineer appointed by the Iowa county engineers' association, and the two persons appointed by the league of Iowa municipalities shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the board from funds allocated under section 312.2, subsection 12. The legislative members shall be paid for their actual and necessary expenses and, when the general assembly is not in session, per diem as provided in sections 2.10 and 2.12. The department's members of the board shall be reimbursed for their actual and necessary expenses from the funds appropriated pursuant to section 313.5.

Sec. 26. Section 307D.4, subsection 5, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

Four members shall be members of the general assembly, one to be appointed by the speaker of the house from the membership of the house, one to be appointed by the minority leader of the house from the membership of the house, one to be appointed by the president of the senate, after consultation with the majority leader of the senate, from the membership of the senate, and one to be appointed by the minority leader of the senate, after consultation with the president of the senate, from the membership of the senate.

Sec. 27. Section 467E.1, subsection 2, unnumbered paragraph 3, Code 1989, is amended to read as follows:

The secretary of agriculture shall be the chairperson of the council. The presiding officers of the senate, after consultation with the majority leader and the minority leader of the senate, and house shall each appoint two nonvoting members, not more than one of any one political party, to serve on the advisory council for a term of two years. The council may invite the administrators of the United States geological survey and the federal environmental protection agency to each appoint a person to meet with the council in an advisory capacity. The council shall meet quarterly or upon the call of the chairperson. The council shall review possible uses of the fund and the effectiveness of current and past expenditures of the fund. The council shall make recommendations to the department of agriculture and land stewardship on the uses of the fund.

Sec. 28. Section 514E.2, subsection 2, unnumbered paragraph 1, Code Supplement 1989, is amended to read as follows:

The board of directors of the association shall consist of four members selected by the members of the association, two of whom shall be representatives from corporations operating pursuant to chapter 514 on July 1, 1989, or any successors in interest, and two of whom shall be representatives of insurers providing coverage pursuant to chapter 509 or 514A; four public members selected by the governor; the commissioner or the commissioner's designee from the division of insurance; and two members of the general assembly, one of whom shall be appointed by the speaker of the house and one of whom shall be appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate majority leader, who shall be ex officio and nonvoting members. The composition of the board of directors shall be in compliance with sections 69.16 and 69.16A. The governor's appointees shall be chosen from a broad cross-section of the residents of this state.

Sec. 29. Section 601K.33, subsection 4, paragraph a, Code Supplement 1989, is amended to read as follows:

a. Two members of the senate, not more than one from any political party, appointed by the president of the senate, after consultation with the majority leader and the minority leader of the senate.

Sec. 30. Section 601K.52, subsection 1, Code 1989, is amended to read as follows:

1. Four members of the general assembly serving as ex officio nonvoting members, one to be appointed by the speaker of the house from the membership of the house, one to be appointed

by the minority leader of the house from the membership of the house, one to be appointed by the majority leader president of the senate, after consultation with the majority leader of the senate, from the membership of the senate, and one to be appointed by the minority leader of the senate, after consultation with the president of the senate, from the membership of the senate.

Sec. 31. 1989 Iowa Acts, chapter 195, section 3, subsection 3, unnumbered paragraph 1, is amended to read as follows:

3. The speaker of the house of representatives shall appoint two representatives, the minority leader of the house shall appoint one representative, the president of the senate, after consultation with the majority leader of the senate, shall appoint two senators, and the minority leader of the senate, after consultation with the president of the senate, shall appoint one senator to the advisory committee. No more than two members from each house shall be from the same political party. The legislative service bureau shall provide staff and other support for the advisory committee. The secretary of agriculture shall appoint as public members of the advisory committee, the titular head or the titular head's designee of the following organizations:

Sec. 32.

Appointments made by the majority leader or the minority leader to a term of office under a section amended by this Act remain in effect until the expiration of the term.

Sec. 33.

This Act takes effect January 14, 1991.

Approved April 30, 1990

CHAPTER 1224

SUPPORT OF DEPENDENTS AND MEDICAL SUPPORT

S.F. 2429

AN ACT relating to responsibilities for the receipt and disbursement of support payments, satisfaction of a support order by direct payment to the person who is to receive the payment, medical support for children receiving child support, modification of child support orders, child support enforcement, determination of paternity and establishment of past child support obligations, establishing an advisory committee, and providing an effective date for certain provisions.

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

Section 1. COLLECTION SERVICES — TRANSITIONAL PROVISIONS.

In order to implement this Act, the department of human services and the judicial department shall mutually agree on a schedule to complete the transfer of support payment collection and disbursement responsibilities from the collection services center to the clerks of the district court. The schedule shall provide for the completion of the transfer of the responsibilities for all affected orders by June 30, 1991. The following procedure shall be used for any order affected by the initial transfer of responsibilities:

1. The department of human services shall develop a cumulative listing which specifies for each county the effective date by which the transfers of the responsibilities to the clerks of the district court in each county are completed. The department shall cause the listing to be published in the Iowa administrative bulletin on the first date the bulletin is published subsequent to the date the transfer of responsibilities to all counties are completed.