

contracts for persons who are terminally or chronically ill. This authority includes but is not limited to regulation of discount rates used to determine the amount paid in exchange for assignment, transfer, sale, devise, or bequest of a benefit under a life insurance policy insuring the life of a person who is chronically or terminally ill.

3. Establish appropriate licensing requirements, fees, and standards for continued licensure for viatical settlement providers and brokers.

4. Require a bond or other mechanism for financial accountability for viatical settlement providers and viatical settlement brokers.

5. Adopt rules governing the relationship and responsibilities of both insurers and viatical settlement providers and viatical settlement brokers during the viatication of a life insurance policy or certificate.

Sec. 20. Section 507B.3, subsection 1, Code 2007, is amended to read as follows:

1. A person shall not engage in this state in any trade practice which is defined in this chapter as, or determined pursuant to section 507B.6 to be, an unfair method of competition, or an unfair or deceptive act or practice in the business of insurance.

a. A person who violates a provision in chapter 508E shall be deemed to have committed an unfair trade practice under this chapter.

b. The issuance of a qualified charitable gift annuity as provided in chapter 508F does not constitute a trade practice in violation of this chapter.

Sec. 21. CODIFICATION.

1. The Code editor shall codify section 508E.1 as section 508E.1A.

2. The Code editor shall codify section 508E.1A, as enacted in this Act, as section 508E.1.

Sec. 22. Section 508E.3A, Code 2007, is repealed.

Approved May 10, 2008

CHAPTER 1156

STATUTORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES — LEGISLATIVE APPOINTMENTS AND MEMBERSHIP

S.F. 2406

AN ACT relating to appointments by members of the general assembly to statutory boards, commissions, councils, and committees, abolishing certain related entities, and including effective date and applicability provisions.

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

Section 1. **NEW SECTION. 2.32A APPOINTMENTS BY MEMBERS OF THE GENERAL ASSEMBLY TO STATUTORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES — PER DIEM AND EXPENSES.**

1. A member of the general assembly who is charged with making an appointment to a statutory board, commission, council, or committee shall make the appointment prior to the fourth Monday in January of the first regular session of each general assembly and in accordance with section 69.16B. If multiple appointing members are charged with making appointments of public members to the same board, commission, council, or committee, including as provid-

ed in section 333A.2, the appointing members shall consult with one another in making the appointments. If the senate appointing member for a legislative appointment is the president, majority leader, or the minority leader, the appointing authority shall consult with the other two leaders in making the appointment. If the house of representatives appointing member is the speaker, majority leader, or minority leader, the appointing member shall consult with the other two leaders in making the appointment.

2. Each appointing member shall inform the director of the legislative services agency of the appointment and of the term of the appointment. The legislative services agency shall maintain an up-to-date listing of all appointments made or to be made by members of the general assembly.

3. The legislative services agency shall inform each appointee and each affected board, commission, council, or committee of the appointment and of the term of the appointment.

4. Unless otherwise specifically provided by law, a member of the general assembly shall be paid, in accordance with section 2.10, per diem and necessary travel and actual expenses incurred in attending meetings of a statutory board, commission, council, or committee to which the member is appointed by a member of the general assembly.

Sec. 2. Section 2.41, Code 2007, is amended to read as follows:

2.41 LEGISLATIVE COUNCIL CREATED.

A continuing legislative council of 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, ~~six~~ three members of the senate appointed by the majority leader of the senate, three members of the senate appointed by the minority 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 six~~ three members of the house of representatives appointed by the speaker of the house of representatives, ~~and three members of the house of representatives appointed by the minority leader of the house of representatives~~. ~~Of the 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 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~~ appointing authority who made the original appointment. 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 chairperson of the council and shall meet at any other time and place as the council deems necessary.

Sec. 3. Section 2A.4, Code 2007, is amended by adding the following new subsection:

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

Sec. 4. Section 2D.3, Code 2007, is amended to read as follows:

2D.3 LEGISLATIVE BRANCH PROTOCOL OFFICER.

The legislative services agency shall employ a legislative branch protocol officer to coordinate activities related to state, national, and international visitors to the state capitol or with an interest in the general assembly, and related to travel of members of the general assembly

abroad. ~~The protocol officer shall serve in a consultative capacity and shall provide staff support to the international relations advisory council.~~ The protocol officer shall also work with the executive branch protocol officer to coordinate state, national, and international relations activities. The legislative branch protocol officer shall submit periodic reports to the international relations committee of the legislative council regarding the visits of state, national, and international visitors and regarding international activities.

Sec. 5. Section 2D.4, Code 2007, is amended to read as follows:
2D.4 EXECUTIVE BRANCH PROTOCOL OFFICER.

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

Sec. 6. Section 7E.7, subsection 1, Code Supplement 2007, is amended by striking the subsection.

Sec. 7. Section 7K.1, subsection 3, unnumbered paragraph 1, Code 2007, is amended to read as follows:

The board of directors of the foundation shall consist of fifteen members ~~servicing staggered three-year terms beginning on May 1 of the year of appointment~~ who shall be appointed as follows:

Sec. 8. Section 7K.1, subsection 3, Code 2007, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. The term of the members appointed by the governor shall be for three years, staggered by the governor, beginning upon the convening of a regular session of the general assembly and ending upon the convening of a regular session of the general assembly three years later. The term of the members appointed by a member of the general assembly shall be as provided in section 69.16B.

Sec. 9. Section 8A.204, Code Supplement 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 6. LEGISLATIVE INFORMATION. The board shall allow representatives of the senate, house of representatives, legislative services agency, and office of citizens' aide to provide information to and seek information from the board.

Sec. 10. Section 8A.221, subsection 3, paragraph a, Code 2007, is amended to read as follows:

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

(1) Five persons appointed by the governor representing the primary customers of LowAccess.

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

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

(b) ~~(a)~~ One person representing the judicial branch as designated by the chief justice of the supreme court.

(c) ~~(b)~~ One person representing the executive branch as designated by the governor.

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

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

(f) ~~(e)~~ One person to be appointed by the governor representing the federal government.

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

~~(4) Four members of the general assembly, two from the senate and two from the house of representatives, with not more than one member from each chamber being from the same political party. The two senators shall be designated by the president of the senate after consultation with the majority and minority leaders of the senate. The two representatives shall be designated by the speaker of the house of representatives after consultation with the majority and minority leaders of the house of representatives. Legislative members shall serve in an ex officio, nonvoting capacity. A legislative member is eligible for per diem and expenses as provided in section 2.10.~~

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

Sec. 11. Section 8A.371, subsection 1, Code Supplement 2007, is amended to read as follows:

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

Sec. 12. Section 8A.372, subsections 2 and 3, Code Supplement 2007, are 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 as provided in section 69.16B,~~ 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 president of the senate, ~~after consultation with the majority leader and the minority leader of the senate, as the case may be,~~ original appointing authority for the unexpired term of their predecessors.

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

Sec. 13. Section 12.28, subsection 1, paragraph b, Code 2007, is amended to read as follows:

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

Sec. 14. Section 12.30, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. "Authority" means a department, or public or quasi-public instrumentality of the state including, but not limited to, the authority created under chapter 12E, 16, ~~16A,~~ 175, 257C, 261A, 327I, or 463C, which has the power to issue obligations, except that "authority" does not include the state board of regents or the Iowa finance authority to the extent it acts pursuant to chapter 260C. "Authority" also includes a port authority created under chapter 28J.

Sec. 15. Section 13B.2A, Code 2007, is amended to read as follows:

13B.2A INDIGENT DEFENSE ADVISORY COMMISSION.

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

2. The advisory commission shall consist of ~~five~~ seven members. The governor shall appoint three members, including one member from nominations by the Iowa state bar association and one member from nominations by the supreme court. ~~Two~~ Four members, ~~one~~ two from each chamber of the general assembly, shall be appointed, with no more than one appointed from the same political party ~~from each chamber~~. The majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives shall each appoint one legislative member. Each member shall serve a three-year term, with initial terms to be staggered, ~~except that legislative members shall serve for terms as provided in section 69.16B~~. No more than three members shall be licensed to practice law in Iowa. The state public defender shall serve as an ex officio member of the commission and shall serve as the nonvoting chair of the commission.

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

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

Sec. 16. Section 15.103, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. The Iowa economic development board is created, consisting of fifteen 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 community college, appointed by the Iowa association of community college presidents. The legislative members are two state senators, one appointed by the 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 eight of the voting members shall be from the same political party. Beginning with the first appointment to the board made after July 1, 2005, at least one voting member shall have been less than thirty years of age at the time of appointment. The governor shall appoint the 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. 17. Section 15.421, subsection 2, paragraph b, Code Supplement 2007, is amended to read as follows:

b. Four members of the general assembly shall serve as nonvoting, ex officio members of the commission with two from the senate and two from the house of representatives and not

more than one member from each chamber being from the same political party. The two senators shall be designated one member each by the president of the senate after consultation with the majority leader of the senate, and by the minority leaders leader of the senate. The two representatives shall be designated one member each by the speaker of the house of representatives after consultation with the majority leader of the house of representatives, and by the minority leaders leader of the house of representatives.

Sec. 18. Section 15E.63, subsection 2, Code 2007, is amended to read as follows:

2. The board shall consist of five voting members and ~~two~~ four nonvoting advisory members who are members of the general assembly. The five voting members shall be appointed by the governor and confirmed by the senate pursuant to section 2.32. The five voting members shall be appointed to five-year staggered terms that shall be structured to allow the term of one member to expire each year. One nonvoting member shall be appointed by the majority leader of the senate after consultation with the president of the senate ~~and the minority leader of the senate~~ and one nonvoting member shall be appointed by the minority leader of the senate. One nonvoting member shall be appointed by the speaker of the house of representatives after consultation with the majority leader of the house of representatives and one nonvoting member shall be appointed by the minority leaders leader of the house of representatives. The nonvoting members shall be appointed for ~~two-year~~ serve terms which shall expire upon the convening of a new general assembly as provided in section 69.16B. Vacancies shall be filled in the same manner as the appointment of the original members. Members shall be compensated by the board for direct expenses and mileage but members shall not receive a director's fee, per diem, or salary for service on the board. Members shall be selected based upon demonstrated expertise and competence in the supervision of investment managers, in the fiduciary management of investment funds, or in the management and administration of tax credit allocation programs. Members shall not have an interest in any person to whom a tax credit is allocated and issued by the board.

Sec. 19. Section 17A.8, subsection 1, Code 2007, is amended to read as follows:

1. There is created the "Administrative Rules Review Committee." The committee shall be bipartisan and shall be composed of the following members:

a. ~~Five~~ Three senators appointed by the majority leader of the senate and two senators appointed by the minority leader of the senate.

b. ~~Five~~ Three representatives appointed by the speaker of the house of representatives and two representatives appointed by the minority leader of the house of representatives.

Sec. 20. Section 28.3, subsection 4, Code 2007, is amended to read as follows:

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

Sec. 21. Section 28B.1, subsections 1 and 2, Code 2007, are amended to read as follows:

1. ~~Five~~ Three members of the senate to be appointed by the majority leader of the senate and two members of the senate to be appointed by the minority leader of the senate.

2. ~~Five~~ Three members of the house of representatives to be appointed by the speaker of the house of representatives and two members of the house of representatives to be appointed by the minority leader of the house of representatives.

Sec. 22. NEW SECTION. 69.16B STATUTORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES — APPOINTMENTS BY MEMBERS OF GENERAL ASSEMBLY — TERMS — DISSOLUTION.

1. Unless otherwise specifically provided by law, all of the following shall apply to an appointment to a statutory board, commission, council, or committee made by a member or members of the general assembly pursuant to section 2.32A:

a. An appointment shall be at the pleasure of the appointing member.

b. Unless an appointee is replaced by the appointing member, the regular term of appointment shall be two years, beginning upon the convening of a general assembly and ending upon the convening of the following general assembly, or when the appointee's successor is appointed, whichever occurs later.

c. Unless otherwise provided, a vacancy exists if a member of the general assembly serving on a statutory board, commission, council, or committee ceases to be a member of the general assembly. A vacancy shall be filled for the unexpired portion of the term in the same manner as the original appointment.

2. Unless otherwise specifically provided by law, a board, commission, council, committee, task force, or other temporary body created by an uncodified statute that provides for issuance of a final report by the body is dissolved on or about the date the body's final report is issued.

Sec. 23. NEW SECTION. 69.16C MINORITY REPRESENTATION.

All appointive boards, commissions, committees, and councils of the state established by the Code if not otherwise provided by law should provide, to the extent practicable, for minority representation. All appointing authorities of boards, commissions, committees, and councils subject to this section should consider qualified minority persons for appointment to boards, commissions, committees, and councils. For purposes of this section, "minority" means a minority person as defined in section 15.102.

Sec. 24. Section 80B.6, unnumbered paragraph 2, Code 2007, is amended to read as follows:

One senator appointed by the president of the senate after consultation with the majority leader ~~and the minority leader of the senate and one representative, one senator appointed by the minority leader of the senate, one representative appointed by the speaker of the house of representatives, and one representative appointed by the minority leader of the house of representatives~~ are also ex officio, nonvoting members of the council who shall serve terms as provided in section 69.16B.

Sec. 25. Section 84A.1A, subsection 1, Code 2007, is amended to read as follows:

1. An Iowa workforce development board is created, consisting of nine voting members appointed by the governor and eight 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; one representative from the largest statewide public employees' organization representing state employees; one president, or the president's designee, of an independent Iowa college, appointed by the Iowa association of independent colleges and universities; and one superintendent, or the superintendent's designee, of a community college, appointed by the Iowa association of community college presidents. The legislative members are two state senators, one appointed by the 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 of the house of representatives after consultation with the majority leader of the house of representatives, and one appointed by the minority leader of the house of representatives from their respective parties. The legislative members shall serve for terms as provided in section 69.16B. Not more than five of the voting members shall be from the same political party. Of

the nine voting members, one member shall represent a nonprofit organization involved in workforce development services, four members shall represent employers, and four members shall represent nonsupervisory employees. Of the members appointed by the governor to represent nonsupervisory employees, two members shall be from statewide labor organizations, one member shall be an employee representative of a labor management council, and one member shall be a person with experience in worker training programs. The governor shall consider recommendations from statewide labor organizations for the members representing nonsupervisory employees. The governor shall appoint the nine voting members of the workforce development 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 in the area of workforce development.

Sec. 26. Section 97D.4, subsection 1, unnumbered paragraph 1, Code 2007, is amended to read as follows:

A public retirement systems committee is established. The committee ~~consists~~ shall consist of five ~~three~~ members of the senate appointed by the majority leader of the senate ~~in consultation with, two members of the senate appointed by the minority leader and five of the senate,~~ three members of the house of representatives appointed by the speaker of the house ~~in consultation with of representatives, and two members of the house of representatives appointed by the minority leader of the house of representatives.~~ The committee shall elect a chairperson and vice chairperson. Meetings may be called by the chairperson or a majority of the members.

Sec. 27. Section 216A.53, Code 2007, is amended to read as follows:
216A.53 TERM OF OFFICE.

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

Sec. 28. Section 216A.132, subsection 1, paragraph c, Code Supplement 2007, is amended to read as follows:

c. The chief justice of the supreme court shall appoint two additional members currently serving as district judges. Two members of the senate and two members of the house of representatives shall be ex officio members and shall be appointed by the majority and minority leaders of the senate and the speaker and minority leader of the house of representatives pursuant to section 69.16 and shall serve terms as provided in section 69.16B. ~~Members Nonlegislative members~~ appointed pursuant to this paragraph shall serve for four-year terms beginning and ending as provided in section 69.19 unless the member ceases to serve as a district court judge ~~or as a member of the senate or of the house of representatives.~~

Sec. 29. Section 217.41A, subsection 2, Code 2007, is amended to read as follows:

2. The task force shall consist of no more than nine voting members, selected by the director of human services, who represent entities with expertise in developing or implementing electronic health records, including but not limited to the United States veterans administration facilities in the state, multifacility hospital systems in the state, Des Moines university, the university of Iowa hospitals and clinics, and the Iowa healthcare collaborative. In addition, two members of the senate, with one each appointed by the president of the senate after consultation with the majority leader, and by the minority leader of the senate, two members of the house of representatives, with one each appointed by the speaker of the house of representatives after consultation with the majority leader of the house of representatives, and by the mi-

nority leader of the house of representatives, and the commissioner of insurance shall serve as ex officio, nonvoting members of the task force. The legislator members shall serve terms as provided in section 69.16B.

Sec. 30. Section 225C.5, subsection 1, paragraph j, Code 2007, is amended to read as follows:

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

Sec. 31. Section 225C.48, subsection 1, paragraph a, Code 2007, is amended to read as follows:

a. An eleven-member comprehensive family support council is created in the department. The members of the council shall be appointed by the ~~following officials as follows: governor, five members; majority leader of the senate, three members; and speaker of the house, three members.~~ At least ~~three~~ five of the governor's appointments and ~~one of each legislative chamber's appointments~~ shall be a family member of an individual with a disability as defined in section 225C.47. At least five of the ~~members~~ appointments shall be current or former service consumers or family members of such service consumers. Members shall serve for three-year staggered terms. A vacancy on the council shall be filled in the same manner as the original appointment.

Sec. 32. Section 231.11, Code 2007, is amended to read as follows:

231.11 COMMISSION ESTABLISHED.

The commission of elder affairs is established which shall consist of eleven members. ~~Two members~~ One member each shall be appointed by the president of the senate, after consultation with the majority leader ~~of the senate,~~ and ~~by~~ 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 One member each shall be appointed by the speaker of the house of representatives ~~and by the minority leader of the house of representatives,~~ from the members of the house ~~of representatives~~ 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. 33. Section 231.12, Code 2007, is amended to read as follows:

231.12 TERMS.

All members of the commission appointed by the governor shall be appointed for terms of four years, with staggered expiration dates. The terms of office ~~of members appointed by the governor~~ shall commence and end as provided by section 69.19. Legislative members of the commission shall serve terms of office as provided in section 69.16B. A vacancy on the commission shall be filled for the unexpired term of the vacancy in the same manner as the original appointment was made. If a legislative member ceases to be a member of the general assembly the legislative member may continue to serve until a successor is appointed.

Sec. 34. Section 231.58, subsection 2, Code 2007, is amended to read as follows:

2. The legislative members of the unit shall be appointed as follows: two members of the senate, with one each appointed by the majority leader of the senate, after consultation with the president of the senate, ~~and by~~ the minority leader of the senate, and two members of the house of representatives with one each appointed by the speaker of the house ~~of representa-~~

tives, after consultation with the majority leader of the house of representatives, and by the minority leader of the house of representatives.

Sec. 35. Section 237A.21, subsection 3, paragraph m, Code 2007, is amended to read as follows:

m. ~~Two~~ Four legislators. ~~Notwithstanding subsection 2, the legislators shall be appointed in a manner so that both major political parties are represented one each by the majority leader of the senate, the minority leader of the senate, the speaker of the house of representatives, and the minority leader of the house of representatives for terms as provided in section 69.16B.~~

Sec. 36. Section 249A.4B, subsection 2, paragraph g, Code 2007, is amended to read as follows:

g. The following members of the general assembly, each for a term of two years as provided in section 69.16B:

(1) Two members of the house of representatives, one appointed by the speaker of the house of representatives and one appointed by the minority leader of the house of representatives from their respective parties.

(2) ~~One member~~ Two members of the senate from each of the two major political parties, ~~one~~ appointed by the president of the senate, after consultation with the majority leader of the senate, and ~~one~~ appointed by the minority leader of the senate.

Sec. 37. Section 249J.20, Code 2007, is amended by adding the following new subsection: NEW SUBSECTION. 1A. The members of the council shall serve terms as provided in section 69.16B.

Sec. 38. Section 252B.18, subsection 1, paragraph b, Code 2007, is amended to read as follows:

b. The legislative members of the committee shall be appointed as follows: one senator each by the majority leader of the senate, after consultation with the president of the senate, and by the minority leader of the senate, and one member of the house of representatives each by the speaker of the house of representatives, after consultation with the majority leader of the house of representatives, and by the minority leader of the house of representatives. ~~Members~~ The legislative members shall serve for terms as provided in section 69.16B. Nonlegislative members shall serve staggered terms of two years. Appointments shall comply with sections 69.16 and 69.16A. Vacancies shall be filled by the original appointing authority and in the manner of the original appointments.

Sec. 39. Section 256.32, subsections 2 and 4, Code 2007, are amended to read as follows:
2. The council may also include as ex officio members the following persons, as determined by the voting members of the council:

- a. The state future farmers of America president.
- b. The current state future farmers of America alumni association president.
- c. The current postsecondary agriculture students president.
- d. The current young farmers educational association president.
- e. A state consultant in agricultural education.
- f. The secretary of agriculture or the secretary's designee.

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

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

Sec. 40. Section 261D.3, subsection 3, Code 2007, is amended to read as follows:

3. ~~The Nonlegislative~~ members shall serve two-year terms except as otherwise provided under the terms of the compact. Legislative members shall serve two-year terms as provided in section 69.19B.¹ Nonlegislative members shall serve without compensation, but shall receive their actual and necessary expenses and travel. Legislative members shall receive actual and necessary expenses pursuant to sections 2.10 and 2.12. Vacancies on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointments. If a member ceases to be a member of the general assembly, the member shall no longer serve as a member of the commission.

Sec. 41. Section 272B.2, Code 2007, is amended to read as follows:

272B.2 EDUCATION COMMISSION OF THE STATES.

Article III, paragraph 1, of the compact notwithstanding, the members of the education commission of the states representing this state consist of the governor, two nonlegislative members appointed by the governor, two members of the senate with one member appointed by the majority leader of the senate and one member appointed by the minority leader of the senate, and two members of the house of representatives with one member appointed by the speaker of the house of representatives and one member appointed by the minority leader of the house of representatives. ~~The Nonlegislative~~ members shall serve four-year terms and legislative members shall serve terms as provided in section 69.16B. Nonlegislative members shall serve on the education commission of the states without compensation, but shall receive their actual and necessary expenses and travel. Legislative members shall receive per diem and actual and necessary expenses and travel pursuant to sections 2.10 and 2.12. Vacancies on the commission shall be filled for the unexpired portion of the term in the same manner as the original appointments. If a member ceases to be a member of the general assembly, the member shall no longer serve as a member of the education commission of the states.

Sec. 42. Section 280A.2, subsection 8, Code 2007, is amended to read as follows:

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

Sec. 43. Section 333A.2, subsection 1, paragraph d, Code 2007, is amended to read as follows:

d. An operations research analyst experienced in cost effectiveness analysis of county services appointed jointly by, and to serve at the pleasure of, the legislative council the majority and minority leaders of the senate and the speaker and the minority leader of the house of representatives.

Sec. 44. Section 384.13, unnumbered paragraph 1, Code 2007, is amended to read as follows:

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

Sec. 45. Section 384.13, subsection 5, Code 2007, is amended by striking the subsection.

Sec. 46. Section 423.9, subsection 3, unnumbered paragraph 1, Code 2007, is amended to read as follows:

Four representatives are authorized to be members of the governing board established pur-

¹ According to enrolled Act; the phrase "section 69.16B" probably intended

suant to the agreement and to represent Iowa before that body as one vote. The legislator representatives shall serve terms as provided in section 69.16B. The representatives shall be appointed as follows:

Sec. 47. Section 455B.851, subsection 2, paragraph b, Code Supplement 2007, is amended to read as follows:

b. The four nonvoting, ex officio members shall consist of four members of the general assembly, two from the senate and two from the house of representatives, with not more than one member from each chamber being from the same political party. The two senators shall be designated one member each by the majority leader of the senate after consultation with the president and by the minority leader of the senate. The two representatives shall be designated one member each by the speaker of the house of representatives after consultation with the majority leader of the house of representatives, and by the minority leaders leader of the house of representatives.

Sec. 48. Section 466A.3, subsection 1, paragraph b, Code 2007, is amended to read as follows:

b. The board shall also include four members of the general assembly who shall serve as ex officio, nonvoting members. Not more than one member from each house shall be from the same political party. Two state senators shall be appointed, one by the majority leader of the senate and one by the minority leader of the senate. Two state representatives shall be appointed, one by the speaker of the house of representatives and one by the minority leader of the house of representatives. The legislator members shall serve terms as provided in section 69.16B. A legislator member may designate another person to attend a board meeting if the member is unavailable. Only the legislator member is eligible for per diem and expenses as provided in section 2.10.

Sec. 49. Section 473.11, subsection 3, unnumbered paragraph 1, Code 2007, is amended to read as follows:

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, a designee of the director of the department of natural resources who is knowledgeable in the field of energy conservation, and a designee of the director of transportation who is knowledgeable in the field of energy conservation. The council shall include as nonvoting members two members of the senate with one each appointed by the president of the senate, after consultation with the majority leader of the senate, and by the minority leader of the senate, and two members of the house of representatives with one each appointed by the speaker of the house of representatives, after consultation with the majority leader of the house of representatives, and by the minority leader of the house of representatives. 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 department of natural resources. The attorney general shall provide legal assistance to the council.

Sec. 50. Section 514E.2, subsection 2, paragraph f, Code 2007, is amended to read as follows:

f. ~~Two~~ Four members of the general assembly, one of whom shall be appointed by the speaker of the house and of representatives, one of whom shall be appointed by the minority leader of the house of representatives, 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, and one of whom shall be appointed by the minority leader of the senate, who shall be ex officio, nonvoting members.

Sec. 51. Section 514I.5, subsection 1, paragraph e, Code Supplement 2007, is amended to read as follows:

e. Two members of the senate and two members of the house of representatives, serving as ex officio, nonvoting members. The legislative members of the board shall be appointed one each by the majority leader of the senate, after consultation with the president of the senate, and by the minority leader of the senate, and by the speaker of the house of representatives, after consultation with the majority leader of the house of representatives, and by the minority leader of the house of representatives. Legislative members shall receive compensation pursuant to section 2.12.

Sec. 52. Section 907B.3, Code 2007, is amended to read as follows:
907B.3 STATE COUNCIL.

The state council established in section 907B.2 shall consist of five seven members plus the compact administrator. The council shall include at least one member from a minority group. The chief justice of the supreme court shall appoint one member to represent the judicial branch. The president of the senate and the minority leader of the senate shall each appoint one member to represent the senate. The speaker of the house of representatives and the minority leader of the house of representatives shall each appoint one member to represent the house of representatives. The governor shall appoint one member to represent the executive branch and one member to represent crime victim groups. The governor, in consultation with the legislative and judicial branches, shall also appoint the compact administrator.

Sec. 53. Sections 2.35, 2.36, 2D.1, 16A.1, 16A.3, 16A.4, 16A.5, 16A.6, 16A.7, 16A.8, 16A.9, 16A.10, 16A.11, 16A.12, 16A.13, 16A.14, 16A.15, 16A.16, 16A.17, 16A.18, 16A.19, 16A.20, 16A.21, 16A.22, and 602.1514, Code 2007, and section 16A.2, Code Supplement 2007, are repealed.

Sec. 54. 2005 Iowa Acts, chapter 88, and chapter 158, section 52, are repealed.

Sec. 55. 2006 Iowa Acts, chapter 1145, section 4, as amended by 2007 Iowa Acts, chapter 211, section 40, is repealed.

Sec. 56. 2006 Iowa Acts, chapter 1184, section 16, subsection 1, paragraph b, is amended to read as follows:

b. It is the intent of the general assembly that effective July 1, 2009, placements at the Iowa juvenile home will be limited to females and that placements of boys at the home will be diverted to other options. ~~The department shall utilize a study group to make recommendations on the options for diversion of placements of boys and the study group shall report on or before July 1, 2007, to the persons designated by this division of this Act to receive reports. Leadership for the study group shall be provided by the department of human services. The study group membership shall also include but is not limited to two departmental service area administrators or their designees, a representative of the division of the commission on the status of women of the department of human rights, a member of the council on human services, a departmental division administrator, two representatives of juvenile court services, a representative of the division of criminal and juvenile justice planning of the department of human rights, and two representatives of child welfare service provider agencies. In addition, the study group membership shall include four members of the general assembly so that the majority and minority parties of both chambers are represented. Legislative members are eligible for reimbursement of actual expenses paid under section 2.10.~~

Sec. 57. 2006 Iowa Acts, chapter 1185, section 43, is repealed.

Sec. 58. EFFECTIVE DATE AND APPLICABILITY PROVISIONS. This Act, being deemed of immediate importance, takes effect upon enactment. This Act applies to appointees named

by a member or members of the general assembly before, on, or after the effective date of this Act.

Approved May 10, 2008

CHAPTER 1157
INCOME TAX REFUNDS AND CREDITS —
INFORMATION AND ASSISTANCE
S.F. 2418

AN ACT relating to notice provided to certain households about the availability of volunteer or free income tax assistance programs and the federal and state earned income tax credits.

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

Section 1. NEW SECTION. 217.47 DISTRIBUTION OF EARNED INCOME TAX CREDIT INFORMATION.

1. The department shall ensure that educational materials relating to the federal and state earned income tax credits are provided in accordance with this section to each household receiving assistance or benefits under:

- a. The hawk-i program under chapter 514I.
- b. The family investment program under chapter 239B.
- c. The medical assistance Act under chapter 249A.
- d. The food programs defined in section 234.1 which are administered by the department.
- e. Any other appropriate programs administered by, or under the oversight, of the department of human services.

2. The department shall, by mail or through the internet, provide a household described in subsection 1 with access to:

- a. Internal revenue service publications relating to the federal earned income tax credit.
- b. Department of revenue publications relating to the state earned income tax credit.
- c. Information prepared by tax preparers who provide volunteer or free federal or state income tax preparation services to low-income and other eligible persons and who are located in close geographic proximity to the person.

3. In January of each year, the department or a representative of the department shall mail to each household described in subsection 1 information about the federal and state earned income tax credit that provides the household with referrals to the resources described in subsection 2.

4. The mailings required by the department under this section do not have to be made as a separate mailing but may be included in existing mailings being made to the appropriate households.

Sec. 2. Section 252B.5, Code Supplement 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. a. In order to maximize the amount of any tax refund to which an obligor may be entitled and which may be applied to child support and medical support obligations, cooperate with any volunteer or free income tax assistance programs in the state in informing obligors of the availability of the programs.