

FILED MAY 19 1976

SENATE FILE 1339

By HANSEN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
 Approved \_\_\_\_\_

### A BILL FOR

1 An Act providing for the orderly and timely functioning of  
 2 the general assembly by providing a procedure for adjourn-  
 3 ment, interim studies and an expense and pay plan for  
 4 members of the general assembly commensurate with a  
 5 shortened legislative session.

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

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1 Section 1. Section two point two (2.2), Code 1975, is  
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPHS. The following schedule shall govern the  
4 adjournment of regular sessions of a general assembly:

5 During the first sixty legislative days of the first regular  
6 session and the first thirty legislative days of the second  
7 regular session of a general assembly a concurrent resolution  
8 may be passed setting an adjournment date not less than twenty  
9 legislative days following passage of the concurrent resolution  
10 by both houses of the general assembly.

11 If a concurrent resolution setting a different date is  
12 not passed prior to the sixtieth legislative day of the first  
13 regular session, or the thirtieth legislative day of the  
14 second regular session, the first session of a general assembly  
15 shall adjourn the eightieth legislative day and the second  
16 regular session shall adjourn sine die on the fiftieth  
17 legislative day of the session.

18 The general assembly may, by concurrent resolution passed  
19 by a majority vote of the membership of both houses, alter  
20 or suspend any of the requirements contained in this section  
21 and set an earlier or later adjournment date.

22 The sixteenth legislative day preceding the date set for  
23 adjournment is the final day committees may report bills to  
24 the house in which they originated, except appropriation  
25 bills.

26 The eleventh legislative day preceding the date set for  
27 adjournment is the final day either house may pass bills  
28 originating in that house, except appropriation bills.

29 The fifth legislative day preceding the date set for  
30 adjournment is the final day committees may report bills  
31 originating in the other house, except appropriation bills.

32 Appropriation bills may be reported by a committee on  
33 appropriations through the fifth legislative day preceding  
34 the date set for adjournment, and may be passed by either  
35 house through the second legislative day preceding the date

1 set for adjournment.

2 The day set for adjournment and the day preceding it shall  
3 be devoted solely to conference committee meetings and reports,  
4 consideration of amendments of the other house, and final  
5 consideration of appropriation bills which have passed both  
6 houses in some form.

7 A "legislative day" as used in this section means any day  
8 both houses of the general assembly are in session during  
9 any part of the day.

10 Sec. 2. Section two point ten (2.10), Code 1975, as amended  
11 by Acts of the Sixty-sixth General Assembly, 1975 Session,  
12 chapter sixty-five (65), section two (2), is amended to read  
13 as follows:

14 2.10 SALARIES AND EXPENSES--MEMBERS OF GENERAL ASSEMBLY  
15 AND LILUTENANT GOVERNOR. Members of the general assembly  
16 and the lieutenant governor shall receive salaries and expenses  
17 as provided by this section.

18 1. Every member of the general assembly except the speaker  
19 of the house and majority and minority floor leaders of the  
20 senate and house shall receive an annual salary of eight thou-  
21 sand dollars for each year while serving as a member of the  
22 general assembly. The majority and minority floor leaders  
23 of the senate and house shall receive an annual salary of  
24 nine thousand five hundred dollars for each year while serving  
25 in such capacity. In addition, each such member shall receive  
26 the sum of ~~twenty~~ three thousand dollars ~~per-day~~ for expenses  
27 of office, except travel, ~~for-each-day-the-general-assembly~~  
28 ~~is-in-session-commencing-with-the-first-day-of-a-legislative~~  
29 ~~session-and-ending-with-the-day-of-final-adjournment-of-each~~  
30 ~~legislative-session-as-indicated-by-the-journals-of-the-house~~  
31 ~~and-senate~~ payable in four equal installments during the last  
32 pay period of the first four months of the calendar year.  
33 However, members from Polk county shall receive ~~ten~~ one  
34 thousand five hundred dollars ~~per-day~~ payable in the same  
35 manner. Travel expenses shall be paid at the rate established

1 by section 79.9 for actual travel in going to and returning  
2 from the seat of government by the nearest traveled route  
3 for not more than one time per week during a legislative  
4 session. However, any increase from time to time in the  
5 mileage rate established by section 79.9 shall not become  
6 effective for members of the general assembly until the  
7 convening of the next general assembly following the session  
8 in which the increase is adopted; and this provision shall  
9 prevail over any inconsistent provision of any present or  
10 future statute.

11 2. The lieutenant governor shall receive an annual salary  
12 of twelve thousand dollars. Personal expense and travel  
13 allowances shall be the same for the lieutenant governor as  
14 for a senator.

15 The lieutenant governor while performing administrative  
16 duties of the office of lieutenant governor when the general  
17 assembly is not in session or serving as the president of  
18 the senate during special sessions of the general assembly  
19 shall receive ~~sixty-dollars-per-diem-and~~ reimbursement for  
20 expenses incurred in performing such duties.

21 The salary, ~~per-diem,~~ and expenses of the lieutenant  
22 governor provided for under this subsection, including office  
23 and staff expenses, shall be paid from funds appropriated  
24 to the office of the lieutenant governor by the general  
25 assembly.

26 3. The speaker of the house shall receive an annual salary  
27 of twelve thousand dollars for each year while serving as  
28 the speaker of the house. Expense and travel allowances shall  
29 be the same for the speaker of the house as provided for other  
30 members of the general assembly.

31 4. When a vacancy occurs and the term of any member of  
32 the general assembly is not completed, ~~he~~ the member shall  
33 receive a salary or compensation proportional to the length  
34 of ~~his~~ service computed to the nearest whole month. A suc-  
35 cessor elected to fill such vacancy shall receive a salary

1 or compensation proportional to his length of service com-  
2 puted to the nearest whole month commencing with such time  
3 as the successor is officially determined to have succeeded  
4 to such office.

5 5. The state comptroller shall pay the travel ~~and-ex-~~  
6 ~~penses~~ of the members of the general assembly and the lieu-  
7 tenant governor semi-monthly commencing with the first pay  
8 period after the names of such persons are officially  
9 certified. The salaries of the members of the general assembly  
10 and lieutenant governor shall be paid in ~~twelve-equal~~ twenty-  
11 six installments ~~after-each-pay-period-of-the-first-six-months~~  
12 during ~~of-each~~ the calendar year in the same manner as state  
13 employees are paid. The presiding officers of the two houses  
14 of the general assembly shall jointly certify to the state  
15 comptroller the names of the members, officers, and employees  
16 of their respective houses and the salaries and mileage to  
17 which each is entitled. Travel ~~and-expense-allowances~~ shall  
18 be paid upon the submission of vouchers to the state  
19 comptroller indicating a claim for the same. Such vouchers  
20 shall be submitted no more frequently than once each month.

21 6. In addition to the salaries and expenses herein au-  
22 thorized, members of the general assembly shall be paid ~~forty~~  
23 ~~dollars-per-day, except-the-speaker-of-the-house-who-shall~~  
24 ~~be-paid-sixty-dollars-per-day, and~~ necessary travel and actual  
25 expenses incurred in attending standing or interim committee  
26 meetings subject to the provisions of section 2.14, or when  
27 on official state business, when the general assembly is not  
28 in session. Such ~~salaries-or~~ expenses shall be paid promptly  
29 from funds appropriated pursuant to section 2.12, unless  
30 otherwise provided by law.

31 7. If a special session of the general assembly is  
32 convened, members of the general assembly shall receive, in  
33 addition to their annual salaries, the sum of forty dollars  
34 per day for each day the general assembly is actually in  
35 special session, and the same travel allowances ~~and-expenses~~

1 as authorized by this section.

2 Sec. 3. Section two point fourteen (2.14), subsection  
3 five (5), Code 1975, is amended to read as follows:

4 5. When the general assembly is not in session, a member  
5 of the general assembly shall be paid ~~forty-dollars-per-day~~  
6 ~~and-his~~ necessary travel and actual expenses incurred in  
7 attending meetings of a standing committee or subcommittee  
8 of which he or she is a member in addition to ~~his~~ regular  
9 annual compensation. Such ~~compensation-and~~ expenses shall  
10 be allowed only if the member attends a meeting of the  
11 committee or subcommittee for at least four hours.

12 Sec. 4. Section two point forty-two (2.42), subsection  
13 four (4), Code 1975, is amended to read as follows:

14 4. To appoint interim study committees consisting of  
15 members of the legislative council and members of the general  
16 assembly of such number as the council shall determine. Non-  
17 legislative members may be included on such committees when  
18 the council deems the participation of such members advan-  
19 tageous to the conduct of the study. However, the total  
20 number of studies authorized under this subsection and under  
21 section two point fourteen (2.14) of the Code which are to  
22 be conducted by either an interim study committee or a sub-  
23 committee of a standing committee, except those studies au-  
24 thorized by the general assembly in a joint resolution or  
25 concurrent resolution, shall not exceed fifteen.

26 Sec. 5. Section two point forty-four (2.44), Code 1975,  
27 is amended to read as follows:

28 2.44 EXPENSES OF COUNCIL AND SPECIAL INTLRIM COMMITTEES.  
29 Members of the legislative council shall be reimbursed for  
30 actual and necessary expenses incurred in the performance  
31 of their duties, ~~and-shall-receive-a-per-diem-of-forty-dollars~~  
32 for each day in which engaged in the performance of such duties.  
33 However, ~~such-per-diem-compensation-and~~ expenses shall not  
34 be paid when the general assembly is actually in session at  
35 the seat of government. Such expenses ~~and-per-diem~~ shall

1 be paid in the manner provided for in section 2.66.

2 Members of special interim study committees which may from  
3 time to time be created and members of the legislative fiscal  
4 committee who are not members of the legislative council shall  
5 be entitled to receive the same expenses ~~and compensation~~  
6 provided for the members of the legislative council. Such  
7 expenses shall be paid in the manner provided for in section  
8 2.66 within the limit of available funds. Upon motion approved  
9 by the legislative council, members of such special interim  
10 study committees may be paid for their expenses ~~and per-diem~~  
11 pursuant to the provisions of section 2.12.

12 Sec. 6. Section two point sixty-six (2.66), Code 1975,  
13 as amended by Acts of the Sixty-sixth General Assembly, 1975  
14 Session, chapter twenty-three (23), section two (2), is amended  
15 to read as follows:

16 2.66 OFFICE AND SUPPLIES--EXPENSES. The office of the  
17 service bureau shall be located in the statehouse. Supplies,  
18 postage, and equipment may be requisitioned from the department  
19 of general services. Expenses of the legislative service  
20 bureau shall be paid upon the approval of the director of  
21 the bureau and, if an extraordinary expense, upon the approval  
22 of the legislative council or its ~~chairman~~ chairperson. Funds  
23 appropriated for ~~per-diem-and~~ expenses of the legislative  
24 council, legislative fiscal committee, and special interim  
25 study committees shall be paid and administered in the manner  
26 provided by the legislative council.

27 Sec. 7. Section twenty-eight B point four (28B.4), Code  
28 1975, as amended by Acts of the Sixty-sixth General Assembly,  
29 1975 Session, chapter one (1), section two (2), is amended  
30 to read as follows:

31 28B.4 REPORT. The commission shall report to the gover-  
32 nor and to the legislature within fifteen days after the con-  
33 vening of each general assembly, and at such other times as  
34 it deems appropriate. Its members and the members of all  
35 committees which it establishes shall be reimbursed for their

1 travel and other necessary expenses in carrying out their  
2 obligations under this chapter and legislative members shall  
3 be paid ~~a-per-diem-of-forty-dollars~~ for each day in which  
4 engaged in the performance of their duties, ~~such-per-diem~~  
5 ~~and-legislators~~ expenses to be paid from funds appropriated  
6 by sections 2.10 and 2.12 of the Code. Expenses of  
7 administrative officers, state officials, or state employees  
8 who are members of the Iowa commission on interstate  
9 cooperation or a committee appointed by the commission shall  
10 be paid from funds appropriated to the agencies or departments  
11 which such persons represent except as may otherwise be  
12 provided by the general assembly. Expenses of citizen members  
13 who may be appointed to committees of the commission may be  
14 paid from funds as authorized by the general assembly.  
15 Expenses of the secretary or employees of the secretary and  
16 support services in connection with the administration of  
17 the commission shall be paid from funds appropriated to the  
18 legislative service bureau unless otherwise provided by the  
19 general assembly. Expenses of commission members shall be  
20 paid upon approval of the ~~chairman~~ chairperson or the secretary  
21 of the commission.

22 Sec. 8. Section eighteen A point five (18A.5), Code 1975,  
23 is amended to read as follows:

24 18A.5 COMPENSATION AND EXPENSES. The members of the com-  
25 mission shall be reimbursed for their actual and necessary  
26 expenses and shall be paid a forty-dollar per diem while in  
27 attendance at any meeting of the commission held at the seat  
28 of government and shall be reimbursed for their expenses for  
29 going to and from the seat of government to attend a meeting.  
30 However, legislative members shall not be paid per diem.

31 All per diem and expense moneys paid to the commissioners  
32 shall be paid from funds appropriated to the commission.  
33 Service of the director of the department of general services  
34 and the state architect upon this commission shall be an  
35 additional duty conferred by statute.

1       Sec. 9. Section eighty B point eight (80B.8), Code 1975,  
2 is amended to read as follows:

3       80B.8 COMPENSATION AND EXPENSES. The members of the  
4 council, ~~who are not~~ except employees of the state or a  
5 political subdivision or members of the general assembly,  
6 shall be paid a forty-dollar per diem. All members of the  
7 council shall be reimbursed for necessary and actual expenses  
8 incurred in attending meetings and in the performance of their  
9 duties. All per diem and expense moneys paid to members shall  
10 be paid from funds appropriated to the Iowa law enforcement  
11 academy.

12       Sec. 10. Section ninety-three point five (93.5), Code  
13 1975, is amended to read as follows:

14       93.5 COMPENSATION AND EXPENSES. Council members ~~who are~~  
15 not, except employees of the state and legislative members,  
16 shall receive a per diem at the rate of forty dollars for  
17 each day devoted to council business and all members shall  
18 be reimbursed for actual expenses incurred in carrying out  
19 their duties as members of the council.

20       Sec. 11. Section ninety-seven B point eight (97B.8), Code  
21 1975, is amended to read as follows:

22       97B.8 ADVISORY INVESTMENT BOARD. A board shall be estab-  
23 lished to be known as the "Advisory Investment Board of the  
24 Iowa Public Employees' Retirement System", hereinafter called  
25 the "board", whose duties shall be to advise and confer with  
26 the commission in matters relating to the investment of the  
27 trust funds of the Iowa public employees' retirement system.  
28 The powers of the board shall be purely advisory and the com-  
29 mission shall not be bound in the making of any investment  
30 by the recommendations of the board. The board shall consist  
31 of seven members. Five of the members shall be appointed  
32 by the governor, one of whom shall be an executive of a  
33 domestic life insurance company, one an executive of a state  
34 or national bank operating within the state of Iowa, the third  
35 shall be an executive of a major industrial corporation located

1 within the state of Iowa, and two shall be active members  
2 of the system, one of whom shall be an employee of a school  
3 district, county school system, joint county system or merged  
4 area and one of whom shall not be an employee of a school  
5 district, county school system, joint county system or merged  
6 area. The president of the senate shall appoint one member  
7 from the membership of the senate and the speaker of the house  
8 of representatives shall appoint one member from the membership  
9 of the house. The two members appointed by the president  
10 of the senate and the speaker of the house of representatives  
11 and the two active members of the system appointed by the  
12 governor shall be ex officio members of the board. The mem-  
13 bers who are executives of a domestic life insurance company,  
14 a state or national bank and a major industrial corporation  
15 shall be paid their actual expenses incurred in performance  
16 of their duties and shall receive in addition thereto the  
17 sum of forty dollars for each day of service not exceeding  
18 forty days per year. Legislative members shall receive ~~the~~  
19 ~~sum-of-forty-dollars~~ for each day of service and their actual  
20 expenses incurred in the performance of their duties. The  
21 ~~per-diem-and~~ expenses of the legislative members shall be  
22 paid from funds appropriated under section 2.12. The members  
23 who are active members of the system shall be paid their  
24 actual expenses incurred in the performance of their duties  
25 as members of the board and performance of their duties as  
26 members of the board shall not affect their salaries, vacation  
27 or leaves of absence for sickness or injury. The appointive  
28 terms of the members appointed by the governor shall be for  
29 a period of six years dating from July 1 of the year in which  
30 they are appointed. In the event of vacancy, through  
31 resignation or any other cause, in the membership of the  
32 board, the governor shall have the power of appointment.  
33 Appointees to this board shall be subject to confirmation  
34 by a two-thirds vote of the senate, but in the event of interim  
35 appointments, such confirmation shall be necessary at the

1 next session of the senate.

2 Sec. 12. Section two hundred forty-nine A point four  
3 (249A.4), subsection eight (8), unnumbered paragraph two (2),  
4 Code 1975, is amended to read as follows:

5 For each council meeting, other than those held during  
6 the time the general assembly is in session, each legislative  
7 member of the council shall be reimbursed for actual traveling  
8 and other necessary expenses ~~and shall receive a per diem~~  
9 ~~of forty dollars~~ for each day in attendance, ~~as shall the~~  
10 ~~public.~~ Public representatives, regardless of whether the  
11 general assembly is in session shall receive a per diem of  
12 forty dollars and actual travel and other necessary expenses.

13 Sec. 13. Section two hundred forty-nine B point six  
14 (249B.6), Code 1975, is amended to read as follows:

15 249B.6 EXPENSES. Members of the commission, except  
16 legislative members, while engaged in their official duties  
17 shall receive a per diem ~~rate equal to that allowed members~~  
18 ~~of the legislature pursuant to section 2.67, subsection 6 of~~  
19 forty dollars. Members of the commission and noncommission  
20 members serving on commission subcommittees shall be paid  
21 their actual and necessary travel and other expenses incurred  
22 in their official duties.

23 Sec. 14. Section two hundred sixty-one point four (261.4),  
24 Code 1975, is amended to read as follows:

25 261.4 FUNDS--COMPTROLLER--COMPENSATION AND EXPENSES OF  
26 COMMISSION. The state comptroller shall keep an accounting  
27 of all funds received and expended by the commission. The  
28 members of the commission, except those members who are  
29 employees of the state or members of the general assembly,  
30 shall be paid a forty-dollar per diem and shall be reimbursed  
31 for actual and necessary expenses. Members of the general  
32 assembly shall be reimbursed for actual and necessary expenses.  
33 All per diem and expense moneys paid to members shall be paid  
34 from funds appropriated to the commission.

35 Sec. 15. Section three hundred four point four (304.4),

1 Code 1975, is amended to read as follows:

2 304.4 EXPENSES. Members of the commission shall serve  
3 without compensation ~~7-except-the-members-of-the-general-as-~~  
4 ~~sembly-who-shall-receive-a-per-diem-of-forty-dollars~~ but may  
5 receive their actual expenses incurred in the performance  
6 of their duties.

7 Sec. 16. Section seven hundred fifty point eight (750.8),  
8 unnumbered paragraph two (2), Code 1975, is amended to read  
9 as follows:

10 Members shall be appointed prior to the adjournment of  
11 the first regular session of each general assembly and shall  
12 serve for terms ending upon the convening of the following  
13 general assembly or when their successors are appointed.  
14 Vacancies shall be filled in the same manner as original  
15 appointments and shall be for the remainder of the unexpired  
16 term of the vacancy. The members of the committee shall be  
17 reimbursed for actual and necessary expenses incurred in the  
18 performance of their duties ~~and-shall-receive-forty-dollars~~  
19 for each day in which engaged in the performance of such  
20 duties. However, such ~~per-diem-compensation-and~~ expenses  
21 shall not be paid when the general assembly is actually in  
22 session at the seat of government. Expenses ~~and-per-diem~~  
23 shall be paid from funds appropriated pursuant to section  
24 2.12.

25 Sec. 17. The provisions of this Act shall become effective  
26 January 10, 1977.

27 EXPLANATION

28 This bill provides a procedure for the orderly and timely  
29 adjournment of the General Assembly. Definite time schedules  
30 are provided with flexibility in section 1 of the Act. Ex-  
31 penses of \$3000 (\$1500 for members of Polk County) are pro-  
32 vided for members of the general assembly instead of \$20 a  
33 day for seven days each week. The expenses would be paid  
34 during the first four months of the calendar year. Annual  
35 salaries of members of the General Assembly and the Lieutenant

1 Governor remain the same, however, they are paid over a 12-  
2 month period. No per diem is paid for interim work but  
3 expenses remain the same. Per diem of \$40 per day is provided  
4 for special sessions but no expenses are allowed. Per diem  
5 of legislative members of statutory agencies is not allowed.

6 The number of interim studies conducted by interim study  
7 committees and subcommittees of standing committees, except  
8 those authorized by the general assembly, is limited to  
9 fifteen.

10 The pay schedule is designed to coincide with a shorter  
11 legislative session resulting from the orderly adjournment  
12 procedure.

13 If the session is shortened legislators may, in fact,  
14 receive more expense allowances per day of session and  
15 therefore an increase could result. For this reason an  
16 effective day coinciding with the convening of the General  
17 Assembly in 1977 is inserted in the bill to meet constitutional  
18 requirements.

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