

Rules and Administration
Willits, Chairperson
Kinley
Hultman

FILED MAR 15 1977

SENATE FILE 226

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 ad-
3 journment, interim studies and an expense and pay plan
4 for members of the general assembly commensurate with
5 a shortened legislative session.

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

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S.F. 226

1 Section 1. Section two point one (2.1), Code 1977, is
2 amended by adding the following new unnumbered paragraphs:
3 NEW UNNUMBERED PARAGRAPHS. The following schedule shall
4 govern the adjournment of regular sessions of a general
5 assembly:

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

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

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

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

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

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

33 Appropriation bills may be reported by a committee on
34 appropriations or its successor committee through the fifth
35 legislative day preceding the date set for adjournment, and

1 may be passed by either house through the second legislative
2 day preceding the date set for adjournment.

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

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

11 Sec. 2. Section two point ten (2.10), Code 1977, is amended
12 to read as follows:

13 2.10 SALARIES AND EXPENSES--MEMBERS OF GENERAL ASSEMBLY
14 AND LIEUTENANT GOVERNOR. Members of the general assembly
15 and the lieutenant governor shall receive salaries and expenses
16 as provided by this section.

17 1. Every member of the general assembly except the speaker
18 of the house and majority and minority floor leaders of the
19 senate and house shall receive an annual salary of eight thou-
20 sand dollars for each year while serving as a member of the
21 general assembly. The majority and minority floor leaders
22 of the senate and house shall receive an annual salary of
23 nine thousand five hundred dollars for each year while serving
24 in such capacity. In addition, each such member shall receive
25 the sum of twenty three thousand dollars per-day for expenses
26 of office, except travel, ~~for each day the general assembly~~
27 ~~is in session commencing with the first day of a legislative~~
28 ~~session and ending with the day of final adjournment of each~~
29 ~~legislative session as indicated by the journals of the house~~
30 and senate payable in four equal installments during the last
31 pay periods in each of the first four months of the calendar
32 year. However, members from Polk county shall receive ten
33 one thousand five hundred dollars per-day payable in the same
34 manner. Travel expenses shall be paid at the rate established
35 by section 79.9 for actual travel in going to and returning

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

10 2. The lieutenant governor shall receive an annual salary
11 of twelve thousand dollars. Personal expense and travel
12 allowances shall be the same for the lieutenant governor as
13 for a senator. The lieutenant governor while performing
14 administrative duties of the office of lieutenant governor
15 when the general assembly is not in session ~~or serving as~~
16 ~~the president of the senate during special sessions of the~~
17 ~~general assembly~~ shall receive ~~sixty dollars per diem and~~
18 reimbursement for expenses incurred in performing such duties.
19 The salary, ~~per diem,~~ and expenses of the lieutenant governor
20 provided for under this subsection, including office and staff
21 expenses, shall be paid from funds appropriated to the office
22 of the lieutenant governor by the general assembly.

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

28 4. When a vacancy occurs and the term of any member of
29 the general assembly is not completed, ~~he~~ the member shall
30 receive a salary or compensation proportional to the length
31 of ~~his~~ service computed to the nearest whole month. A suc-
32 cessor elected to fill such vacancy shall receive a salary
33 or compensation proportional to ~~his~~ length of service com-
34 puted to the nearest whole month commencing with such time
35 as the successor is officially determined to have succeeded

1 to such office.

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

18 6. In addition to the salaries and expenses authorized
19 by this section, members of the general assembly shall be
20 paid ~~forty-dollars-per-day, except the speaker of the house~~
21 ~~who shall be paid sixty-dollars-per-day, and~~ necessary travel
22 and actual expenses incurred in attending meetings for which
23 ~~per-diem or~~ expenses are authorized by law for members of
24 the general assembly who serve on statutory boards,
25 commissions, or councils, and for standing or interim committee
26 or subcommittee meetings subject to the provisions of section
27 2.14, or when on authorized legislative business when the
28 general assembly is not in session. However, if a member
29 of the general assembly or the lieutenant governor is engaged
30 in authorized legislative business at a location other than
31 at the seat of government during the time the general assembly
32 is in session, payment may be made for the actual
33 transportation and lodging costs incurred because of the
34 business. Such ~~per-diem or~~ expenses shall be paid promptly
35 from funds appropriated pursuant to section 2.12.

1 7. If a special session of the general assembly is
2 convened, members of the general assembly shall receive, in
3 addition to their annual salaries, the sum of forty dollars
4 per day for each day the general assembly is actually in
5 special session, and the same travel allowances ~~and expenses~~
6 as authorized by this section.

7 Sec. 3. Section two point fourteen (2.14), subsection
8 five (5), Code 1977, is amended to read as follows:

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

17 Sec. 4. Section two point forty-two (2.42), subsection
18 four (4), Code 1977, is amended to read as follows:

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

31 Sec. 5. Section two point forty-four (2.44), Code 1977,
32 is amended to read as follows:

33 2.44 EXPENSES OF COUNCIL AND SPECIAL INTERIM COMMITTEES.
34 Members of the legislative council shall be reimbursed for
35 actual and necessary expenses incurred in the performance

1 of their duties ~~7-and-shall-receive-a-per-diem-of-forty-dollars~~
 2 for each day in which engaged in the performance of such
 3 duties. However, ~~such-per-diem-compensation-and~~ expenses
 4 shall not be paid when the general assembly is actually in
 5 session at the seat of government. Such expenses ~~and-per~~
 6 ~~diem~~ shall be paid in the manner provided for in section 2.12.

7 Members of special interim study committees which may from
 8 time to time be created and members of the legislative fiscal
 9 committee who are not members of the legislative council shall
 10 be entitled to receive the same expenses ~~and-compensation~~
 11 provided for the members of the legislative council.

12 Sec. 6. Section two point sixty-six (2.66), Code 1977,
 13 is amended to read as follows:

14 2.66 OFFICE AND SUPPLIES--EXPENSES. The office of the
 15 service bureau shall be located in the statehouse. Supplies,
 16 postage, and equipment may be requisitioned from the department
 17 of general services. Expenses of the legislative service
 18 bureau shall be paid upon the approval of the director of
 19 the bureau and, if an extraordinary expense, upon the approval
 20 of the legislative council or its ~~chairman~~ chairperson. Funds
 21 appropriated for ~~per-diem-and~~ expenses of the legislative
 22 council, legislative fiscal committee, and special interim
 23 study committees shall be paid and administered in the manner
 24 provided by the legislative council.

25 Sec. 7. Section eighteen A point five (18A.5), Code 1977,
 26 is amended to read as follows:

27 18A.5 COMPENSATION AND EXPENSES. The nonlegislative
 28 members of the commission shall be reimbursed for their actual
 29 and necessary expenses and shall be paid a forty-dollar per
 30 diem while in attendance at any meeting of the commission
 31 held at the seat of government and shall be reimbursed for
 32 their expenses for going to and from the seat of government
 33 to attend a meeting. All per diem and expense moneys paid
 34 to the nonlegislative ~~commissioners~~ members of the commission
 35 shall be paid from funds appropriated to the commission.

1 Service of the Director of the department of general services
2 and the state architect upon this commission shall be an
3 additional duty conferred by statute. Legislative members
4 of the commission shall receive payment for expenses pursuant
5 to section 2.10 and section 2.12.

6 Sec. 8. Section twenty-eight B point four (28B.4), Code
7 1977, is amended to read as follows:

8 28B.4 REPORT. The commission shall report to the gover-
9 nor and to the legislature within fifteen days after the con-
10 vening of each general assembly, and at such other times as
11 it deems appropriate. Its members and the members of all
12 committees which it establishes shall be reimbursed for their
13 travel and other necessary expenses in carrying out their
14 obligations under this chapter and legislative members shall
15 be paid ~~a-per-diem-of-forty-dollars~~ expenses for each day
16 in which engaged in the performance of their duties, ~~such~~
17 ~~per-diem-and-legislators'~~ expenses to be paid from funds
18 appropriated by sections 2.10 and 2.12. Expenses of
19 administrative officers, state officials, or state employees
20 who are members of the Iowa commission on interstate
21 cooperation or a committee appointed by the commission shall
22 be paid from funds appropriated to the agencies or departments
23 which such persons represent except as may otherwise be
24 provided by the general assembly. Expenses of citizen members
25 who may be appointed to committees of the commission may be
26 paid from funds as authorized by the general assembly.
27 Expenses of the secretary or employees of the secretary and
28 support services in connection with the administration of
29 the commission shall be paid from funds appropriated to the
30 legislative service bureau unless otherwise provided by the
31 general assembly. Expenses of commission members shall be
32 paid upon approval of the ~~chairman~~ chairperson or the secretary
33 of the commission.

34 Sec. 9. Section eighty B point eight (80B.8), Code 1977,
35 is amended to read as follows:

1 80B.8 COMPENSATION AND EXPENSES. The members of the
2 council, ~~who-are-not~~ except employees of the state or a
3 political subdivision or members of the general assembly,
4 shall be paid a forty-dollar per diem. All members of the
5 council shall be reimbursed for necessary and actual expenses
6 incurred in attending meetings and in the performance of their
7 duties. All per diem and expense moneys paid to nonlegislative
8 members shall be paid from funds appropriated to the Iowa
9 law enforcement academy. Legislative members of the council
10 shall receive payment pursuant to section 2.10 and section
11 2.12.

12 Sec. 10. Section ninety-three point five (93.5), Code
13 1977, 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 nonlegislative
18 members shall be reimbursed for actual expenses incurred in
19 carrying out their duties as members of the council.
20 Legislative members shall receive payment pursuant to section
21 2.10 and section 2.12.

22 Sec. 11. Section ninety-seven B point eight (97B.8), Code
23 1977, is amended to read as follows:

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

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

1 by a two-thirds vote of the senate, but in the event of interim
2 appointments, such confirmation shall be necessary at the
3 next session of the senate.

4 Sec. 12. Section two hundred forty-nine A point four
5 (249A.4), subsection eight (8), unnumbered paragraph two (2),
6 Code 1977, is amended to read as follows:

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

15 Sec. 13. Section two hundred forty-nine B point six
16 (249B.6), Code 1977, is amended to read as follows:

17 249B.6 EXPENSES. Members of the commission, except mem-
18 bers of the general assembly, while engaged in their official
19 duties shall be reimbursed for their actual and necessary
20 expenses and be paid a forty dollar per diem. Legislative
21 members of the commission shall receive payment pursuant to
22 section 2.10 and section 2.12.

23 Sec. 14. Section two hundred sixty-one point four (261.4),
24 Code 1977, 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 nonlegislative members
34 shall be paid from funds appropriated to the commission.
35 Legislative members of the commission shall receive payment

1 pursuant to section 2.10 and section 2.12.

2 Sec. 15. Section three hundred four point four (304.4),
3 Code 1977, is amended to read as follows:

4 304.4 EXPENSES. The nonlegislative members of the
5 commission shall serve without compensation but may receive
6 their actual expenses incurred in the performance of their
7 duties. Legislative members shall receive per-diem-and payment
8 for expenses pursuant to section 2.10 and section 2.12.

9 Sec. 16. Section seven hundred fifty point eight (750.8),
10 unnumbered paragraph two (2), Code 1977, is amended to read
11 as follows:

12 Members shall be appointed prior to the adjournment of
13 the first regular session of each general assembly and shall
14 serve for terms ending upon the convening of the following
15 general assembly or when their successors are appointed.
16 Vacancies shall be filled in the same manner as original
17 appointments and shall be for the remainder of the unexpired
18 term of the vacancy. The members of the committee shall be
19 reimbursed for actual and necessary expenses incurred in the
20 performance of their duties ~~and shall receive forty dollars~~
21 for each day in which engaged in the performance of such
22 duties. However, such ~~per-diem-compensation-and~~ expenses
23 shall not be paid when the general assembly is actually in
24 session at the seat of government. Expenses ~~and per-diem~~
25 shall be paid from funds appropriated pursuant to section
26 2.12.

27 Sec. 17. The provisions of this Act shall become effective
28 January 8, 1979.

29 EXPLANATION

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

1 during the first four months of the calendar year. Annual
2 salaries of members of the General Assembly and the Lieutenant
3 Governor remain the same, however, they are paid over a 12-
4 month period. No per diem is paid for interim work but
5 expenses remain the same. Per diem of \$40 per day is provided
6 for special sessions but no expenses are allowed. Per diem
7 of legislative members of statutory agencies is not allowed.

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

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

15 If the session is shortened legislators may, in fact,
16 receive more expense allowances per day of session and
17 therefore an increase could result. For this reason an
18 effective day coinciding with the convening of the General
19 Assembly in 1979 is inserted in the bill to meet constitutional
20 requirements.

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