

APR 5 1974

Appropriation
Calendar
Jan. " 4/25, Pass per S-2892

HOUSE FILE 1483

By COMMITTEE ON APPROPRIATIONS

Passed House, Date 4-16-74 (1787) Passed Senate, Date 5-4-74 (2037)

Vote: Ayes 68 Nays 26 Vote: Ayes 42 Nays 1

Approved 5-27-74

Motion to reconsider filed 4-16 (1796) Lost 4-25 (1974) Passed Senate as further amended by House

Page H-2512

5-4-74 (2063)

43-0

A BILL FOR

- 1 An Act making an appropriation to supplement funds appro-
- 2 priated to the office of attorney general.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Acts of the Sixty-fifth General Assembly,
2 1973 Session, chapter nine (9), section one (1), subsection
3 one (1), is amended to read as follows:

4 1. ATTORNEY GENERAL

5 For salaries, support,
6 maintenance and miscellaneous

7 purposes: \$630,980 ~~\$668,460~~ 795,180

8 Sec. 2. Except as otherwise provided by this Act, the
9 provisions of the Acts of the Sixty-fifth General Assembly,
10 1973 Session, chapter nine (9) shall apply to this Act.

11 Sec. 3. It is the intent of the general assembly in ap-
12 proving this Act that funds previously appropriated to the
13 office of the attorney general shall be supplemented by funds
14 appropriated by this Act for the fiscal year beginning July
15 1, 1974 and shall be used in the amounts and for the follow-
16 ing programs:

- 17 1. For criminal appeals..... \$34,384
- 18 2. For civil rights..... \$24,377
- 19 3. For consumer protection..... \$51,367
- 20 4. For upgrading staff resources..... \$16,892

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H-2806

1 Amend House File 1483, page 2, by striking
2 from line 20 the words "For upgrading staff
3 resources" and inserting in lieu thereof the
4 words "Welfare investigation".

H-2806 Filed and lost
April 9, 1974

By GRASSLEY of Butler

H-2808

1 Amend House File 1483, page 2, by adding after
2 line 20 the following new section:
3 Sec. 4. Funds appropriated by this Act shall not
4 be used for capital improvements.

H-2808 Filed - *Adopted 4/16*
April 9, 1974

By MONROE of Des Moines

H-2825

1 Amend House File 1483, page 2, by inserting after
2 line 20 the following section:
3 "Sec. _____. There is hereby appropriated to the
4 attorney general the sum of one hundred thousand
5 (100,000) dollars, in addition to other appropriations,
6 for the establishment of a welfare unit to investigate
7 cases involving the unlawful grants and denials of
8 welfare."

H-2825 Filed - *Adopted 4/16*
April 10, 1974 *Motion to reconsider 4/17*
Withdrawn 4/25

By GRASSLEY of Butler
KREAMER of Polk
WULFF of Black Hawk

H-2868

1 Amend House File 1483, page 2, as follows:
2 1. By inserting after line 7 the following new
3 section:
4 "Sec. _____. NEW SECTION. On or before December
5 15, 1974, the attorney general shall submit to the
6 legislative fiscal director recommendations for Code
7 changes which, if adopted, can result in savings to
8 the department of an amount at least equal to this ap-
9 propriation."
10 2. By renumbering remaining sections.

H-2868 Filed - *Adopted 4/16*
April 15, 1974

By WELDEN of Hardin
CRABB of Crawford

H—2957

1 Amend House File 1483, after line 20, by inserting
2 the following section:
3 Sec. _____. Section thirteen point two (13.2), Code
4 1973, is amended by adding the following new subsection:
5 NEW SUBSECTION. Inform prosecuting attorneys and
6 assistant prosecuting attorneys to the state of all
7 changes in law and matters pertaining to their office
8 and establish programs for the continuing education of
9 prosecuting attorneys and assistant prosecuting attor-
10 neys. The attorney general may accept funds, grants
11 and gifts from any public or private source which
12 shall be used to defray the expenses incident to im-
13 plementing his duties under this subsection.

H—2957 Filed
April 23, 1974

By HILL of Polk
KNOKE of Pottawattamie

H—2989

1 Amend the Grassley, et al., amendment H-2825 to
2 House File 1483 by striking lines 6 through 8 and
3 inserting in lieu thereof the following: "for the
4 establishment of a unit to investigate fraudulent
5 actions in such areas as advertising, welfare, secur-
6 ities and land sales, tax payment, and insurance, and
7 to investigate practices that impede fair business
8 competition."

H—2989 Filed
April 24, 1974

By SMALL of Johnson

S—2892

1 Amend House File 1483 as amended and passed by the
2 House as follows:
3 1. Page 2, by striking lines 26 through 30 and
4 renumbering the remaining section.

S—2892 Filed - *adopted 5/4*
April 25, 1974

By COMMITTEE ON APPROPRIATIONS

S—2985

1 Amend House File 1483, as amended and passed by
2 the House, page 2, by inserting the following after
3 line 30 and renumbering the remaining sections:
4 "Sec. _____. There is hereby appropriated to the
5 attorney general the sum of one hundred thousand
6 (100,000) dollars, in addition to other appropriations
7 made by this Act, for salaries, support, maintenance
8 and miscellaneous purposes for consumer credit
9 administration."

S—2985 Filed - *adopted 5/4*
May 2, 1974

By SHAW

SENATE AMENDMENT TO HOUSE FILE 1483

1 Amend House File 1483, as amended and passed by the
2 House as follows:

3 1. Page 2, by inserting after line 25 the follow-
4 ing section:

5 Sec. _____. Section thirteen point two (13.2),
6 Code 1973, is amended by adding the following new
7 subsection:

8 NEW SUBSECTION. Inform prosecuting attorneys
9 and assistant prosecuting attorneys to the state of
10 all changes in law and matters pertaining to their
11 office and establish programs for the continuing
12 education of prosecuting attorneys and assistant
13 prosecuting attorneys. The attorney general may
14 accept funds, grants and gifts from any public or
15 private source which shall be used to defray the
16 expenses incident to implementing his duties under
17 this subsection.

18 2. Page 2, by striking lines 26 through 30.

19 3. Page 2, by inserting after line 30 the following
20 new section:

21 Sec. _____. There is hereby appropriated to the
22 attorney general the sum of one hundred thousand
23 (100,000) dollars, in addition to other appro-
24 priations made by this Act, for salaries, support,
25 maintenance and miscellaneous purposes for consumer
26 credit administration.

27 4. Page 2, by inserting after line 32 the following
28 new sections:

29 Sec. _____. NEW SECTION. DEFINITIONS. As used in
30 this Act unless the context otherwise requires:

31 1. "Council" means the prosecuting attorneys
32 coordinating council.

33 2. "Executive secretary" means the executive
34 secretary of the council.

35 3. "Office" means the office of prosecuting
36 attorneys coordination as established in this Act.

37 4. "Prosecuting attorneys" means county attorney,
38 district attorney, or any attorney charged with the
39 responsibility of prosecution of violation of state
40 laws.

41 Sec. _____. NEW SECTION. ESTABLISHMENT. The
42 office of prosecuting attorneys coordination is
43 established as an autonomous entity in the depart-
44 ment of justice. The head of the office is the
45 prosecuting attorneys coordinating council. The
46 chief administrative officer of the office is the
47 executive secretary who shall be appointed by the
48 council. He shall perform the function and duties
49 assigned to him by the council. The council may
50 employ other persons as it deems necessary to im-

51 plement this Act.

52 Sec. _____. NEW SECTION. MEMBERSHIP AND TERMS.

53 The council shall consist of five members as follows:

54 1. The attorney general or his designated
55 representative.

56 2. The president of the Iowa county attorneys
57 association or its successor.

58 3. Three members elected by the Iowa county
59 attorneys association or its successor.

60 A member shall vacate his appointment upon
61 termination of his official position as a pros-
62 ecuting attorney or attorney general. A vacancy
63 shall be filled in the same manner as the original
64 appointment. A member appointed to fill a vacancy
65 created other than by expiration of a term on the
66 council shall be appointed for the unexpired term
67 of the member who he is succeeding in the same
68 manner as the original appointment. Any member
69 may be reappointed for an additional term.

70 The terms of the elected members shall be
71 three years and shall begin January 1, 1975, but
72 initial terms shall be staggered so that the elected
73 members shall serve terms of one, two, and three
74 years respectively.

75 Sec. _____. NEW SECTION. ORGANIZATION. The
76 council shall designate from among its members a
77 chairman and vice chairman who shall serve for
78 one-year terms and who may be reelected. Member-
79 ship on the council shall not constitute holding
80 a public office, and members of the council shall
81 not be required to take and file oaths of office
82 before serving on the council. A member of the
83 council shall not be disqualified from holding any
84 public office or employment by reason of his member-
85 ship on the council, nor shall he forfeit the office
86 or employment, by reason of his appointment under
87 this Act, notwithstanding the provisions of any
88 law, ordinance or city charter.

89 Sec. _____. NEW SECTION. MEETINGS. The council
90 shall meet at least four times each year and shall
91 hold meetings when called by the chairman, or in
92 the absence of the chairman, by the vice chairman
93 or when called by the chairman upon the written
94 request of three members of the council. The
95 council shall establish its own procedures and
96 requirements with respect to quorum, place and
97 conduct of its meetings and other matters.

98 Sec. _____. NEW SECTION. REPORT REQUIRED. The
99 council shall make an annual report to the gov-
100 ernor and to the Iowa county attorneys association

101 or its successor regarding its efforts to implement
102 the purpose of this Act.

103 Sec. _____. NEW SECTION. EXPENSES PAID. The
104 members of the council shall serve without compensa-
105 tion but shall be entitled to their actual expenses
106 in attending meetings and in the performance of
107 their duties.

108 Sec. _____. NEW SECTION. DUTIES. The council
109 shall keep the prosecuting attorneys and assistant
110 prosecuting attorneys of the state informed of all
111 changes in law and matters pertaining to their
112 office to the end that a uniform system of conduct,
113 duty and procedure is established in each county
114 of the state.

115 Sec. _____. NEW SECTION. POWERS. The council
116 may:

117 1. Enter into agreements with other public or
118 private agencies or organizations to implement
119 the intent of this Act.

120 2. Cooperate with and assist other public or
121 private agencies or organizations to implement
122 the intent of this Act.

123 3. Make recommendations to the general assembly
124 on matters pertaining to its responsibilities
125 under this Act.

126 Sec. _____. There is appropriated to the office
127 of prosecuting attorneys coordination within the
128 department of justice for the fiscal year beginning
129 July 1, 1974 the sum of fifty-four thousand six
130 hundred (54,600) dollars, or so much thereof as is
131 necessary, for the purpose of carrying out the provi-
132 sions relating to prosecuting attorneys coordination
133 contained in this Act.

134 Sec. _____. NEW SECTION. RECEIPT OF FUNDS. The
135 council may accept funds, grants and gifts from
136 any public or private source which shall be used
137 to defray the expenses incident to implementing
138 its responsibilities under this Act.

139 Sec. _____. The preceding eleven sections shall
140 be known as and may be cited as the "Prosecuting
141 Attorneys Coordinating Office Act of 1974".

142 5. By renumbering the bill section numbers and
143 correcting internal references.

144 6. By amending the title by inserting in line 1
145 after the word "Act" the following: "relating to
146 the establishment of the office of prosecuting
147 attorneys coordination and to prescribe its powers
148 and duties and making an appropriation therefor,
149 and".

Received from the Senate
May 4, 1974

*Refused to concur in 5,
concur in remainder*

HOUSE FILE 1483

H-2984

1 Amend House File 1483 as follows:
2 1. By inserting after Section 6 the following
3 new sections:
4 Section 7. NEW SECTION. DEFINITIONS. As
5 used in this Act unless the context otherwise
6 requires:
7 1. "Council" means the prosecuting attorneys
8 coordinating council.
9 2. "Executive secretary" means the executive
10 secretary of the council.
11 3. "Office" means the office of prosecuting
12 attorneys coordination as established in section
13 eight (8) of this Act.
14 4. "Prosecuting attorneys" means county attor-
15 ney, district attorney, or any attorney charged
16 with the responsibility of prosecution of vio-
17 lation of state laws.
18 Sec. 8. NEW SECTION. ESTABLISHMENT. The
19 office of prosecuting attorneys coordination
20 is established as an autonomous entity in the
21 department of justice. The head of the office
22 is the prosecuting attorneys coordinating coun-
23 cil. The chief administrative officer of the
24 office is the executive secretary who shall be
25 appointed by the council. He shall perform the
26 function and duties assigned to him by the coun-
27 cil. The council may employ other persons as it
28 deems necessary to implement this Act.
29 Sec. 9. NEW SECTION. MEMBERSHIP AND TERMS.
30 The council shall consist of five members as
31 follows:
32 1. The attorney general or his designated
33 representative.
34 2. The president of the Iowa county attorneys
35 association or its successor.
36 3. Three members elected by the Iowa county
37 attorneys association or its successor.
38 A member shall vacate his appointment upon
39 termination of his official position as a pro-
40 secuting attorney or attorney general. A vac-
41 cancy shall be filled in the same manner as the
42 original appointment. A member appointed to
43 fill a vacancy created other than by expiration
44 of a term on the council shall be appointed for
45 the unexpired term of the member who he is suc-
46 ceed in the same manner as the original appoint-
47 ment. Any member may be reappointed for an add-
48 tional term.
49 The terms of the elected members shall be
50 three years and shall begin January 1, 1975, but

51 initial terms shall be staggered so that the
52 elected members shall serve terms of one, two,
53 and three years respectively.

54 Sec. 10. NEW SECTION. ORGANIZATION. The coun-
55 cil shall designate from among its members a
56 chairman and vice chairman who shall serve for
57 one-year terms and who may be reelected.
58 Membership on the council shall not constitute
59 holding a public office, and members of the coun-
60 cil shall not be required to take and file oaths
61 of office before serving on the council. A member
62 of the council shall not be disqualified from
63 holding any public office or employment by reason
64 of his membership on the council, nor shall he
65 forfeit the office or employment, by reason of
66 his appointment under this Act, notwith-
67 standing the provisions of any law, ordinance or
68 city charter.

69 Sec. 11. NEW SECTION. MEETINGS. The council
70 shall meet at least four times each year and
71 shall hold meetings when called by the chairman,
72 or in the absence of the chairman, by the vice
73 chairman or when called by the chairman upon the
74 written request of three members of the council.
75 The council shall establish its own procedures
76 and requirements with respect to quorum, place
77 and conduct of its meetings and other matters.

78 Sec. 12. NEW SECTION. REPORT REQUIRED. The
79 council shall make an annual report to the gov-
80 ernor and to the Iowa county attorneys association
81 or its successor regarding its efforts to imple-
82 ment the purpose of this Act.

83 Sec. 13. NEW SECTION. EXPENSES PAID. The
84 members of the council shall serve without com-
85 pensation but shall be entitled to their actual
86 expenses in attending meetings and in the per-
87 formance of their duties.

88 Sec. 14. NEW SECTION. DUTIES. The council
89 shall keep the prosecuting attorneys and assist-
90 ant prosecuting attorneys of the state informed
91 of all changes in law and matters pertaining to
92 their office to the end that a uniform system of
93 conduct, duty and procedure is established in
94 each county of the state.

95 Sec. 15. NEW SECTION. POWERS. The council
96 may:

- 97 1. Enter into agreements with other public or
98 private agencies or organizations to implement
99 the intent of this Act.
- 100 2. Cooperate with and assist other public or

House 15
April 25, 1974

101 private agencies or organizations to implement
102 the intent of this Act.
103 3. Make recommendations to the general assembly
104 on matters pertaining to its responsibilities
105 under this Act.
106 Sec. 16. NEW SECTION. RECEIPT OF FUNDS.
107 The council may accept funds, grants and gifts
108 from any public or private source which shall
109 be used to defray the expenses incident to imple-
110 menting its responsibilities under this Act.
111 Sec. 17. Section 7 through 16 shall be known
112 and may be cited as the "Prosecuting Attorneys
113 Coordinating Office Act of 1974".
114 2. By amending the title by inserting in line
115 1 after the word Act the following:
116 relating to the establishment of the office of
117 prosecuting attorneys coordination and to pre-
118 scribe its powers and duties.

H-2984 Filed
April 24, 1974

By AVENSON of Fayette

HOUSE FILE 1483

S-2909

1 Amend House File 1483, as amended and passed by
2 the House, as follows:

3 1. Page 2, line 32, by inserting the following
4 new sections:

5 Sec. _____. NEW SECTION. DEFINITIONS. As used in
6 this Act unless the context otherwise requires:

7 1. "Council" means the prosecuting attorneys
8 coordinating council.

9 2. "Executive secretary" means the executive
10 secretary of the council.

11 3. "Office" means the office of prosecuting
12 attorneys coordination as established in this Act.

13 4. "Prosecuting attorneys" means county attor-
14 ney, district attorney, or any attorney charged
15 with the responsibility of prosecution of violation
16 of state laws.

17 Sec. _____. NEW SECTION. ESTABLISHMENT. The
18 office of prosecuting attorneys coordination is
19 established as an autonomous entity in the depart-
20 ment of justice. The head of the office is the
21 prosecuting attorneys coordinating council. The
22 chief administrative officer of the office is the
23 executive secretary who shall be appointed by the
24 council. He shall perform the function and duties
25 assigned to him by the council. The council may

Page 2

1 employ other persons as it deems necessary to im-
2 plement this Act.

3 Sec. _____. NEW SECTION. MEMBERSHIP AND TERMS.
4 The council shall consist of five members as follows:

5 1. The attorney general or his designated
6 representative.

7 2. The president of the Iowa county attorneys
8 association or its successor.

9 3. Three members elected by the Iowa county
10 attorneys association or its successor.

11 A member shall vacate his appointment upon
12 termination of his official position as a pros-
13 ecuting attorney or attorney general. A vacancy
14 shall be filled in the same manner as the original
15 appointment. A member appointed to fill a vacancy
16 created other than by expiration of a term on the
17 council shall be appointed for the unexpired term
18 of the member who he is succeeding in the same
19 manner as the original appointment. Any member
20 may be reappointed for an additional term.

21 The terms of the elected members shall be
22 three years and shall begin January 1, 1975, but
23 initial terms shall be staggered so that the elected
24 members shall serve terms of one, two, and three
25 years respectively.

Page 3

1 Sec. _____. NEW SECTION. ORGANIZATION. The
2 council shall designate from among its members a
3 chairman and vice chairman who shall serve for
4 one-year terms and who may be reelected. Member-
5 ship on the council shall not constitute holding
6 a public office, and members of the council shall
7 not be required to take and file oaths of office
8 before serving on the council. A member of the
9 council shall not be disqualified from holding any
10 public office or employment by reason of his member-
11 ship on the council, nor shall he forfeit the office
12 or employment, by reason of his appointment under
13 this Act, notwithstanding the provisions of any
14 law, ordinance or city charter.

15 Sec. _____. NEW SECTION. MEETINGS. The council
16 shall meet at least four times each year and shall
17 hold meetings when called by the chairman, or in
18 the absence of the chairman, by the vice chairman
19 or when called by the chairman upon the written
20 request of three members of the council. The
21 council shall establish its own procedures and
22 requirements with respect to quorum, place and
23 conduct of its meetings and other matters.

24 Sec. _____. NEW SECTION. REPORT REQUIRED. The
25 council shall make an annual report to the gov-

Page 4

1 ernor and to the Iowa county attorneys association
2 or its successor regarding its efforts to implement
3 the purpose of this Act.

4 Sec. _____. NEW SECTION. EXPENSES PAID. The
5 members of the council shall serve without compensa-
6 tion but shall be entitled to their actual expenses
7 in attending meetings and in the performance of
8 their duties.

9 Sec. _____. NEW SECTION. DUTIES. The council
10 shall keep the prosecuting attorneys and assistant
11 prosecuting attorneys of the state informed of all
12 changes in law and matters pertaining to their
13 office to the end that a uniform system of conduct,
14 duty and procedures is established in each county
15 of the state.

16 Sec. _____. NEW SECTION. POWERS. The council
17 may:

18 1. Enter into agreements with other public or
19 private agencies or organizations to implement
20 the intent of this Act.

21 2. Cooperate with and assist other public or
22 private agencies or organizations to implement
23 the intent of this Act.

24 3. Make recommendations to the general assembly
25 on matters pertaining to its responsibilities.

Page 5

1 under this Act.

2 Sec. _____. NEW SECTION. RECEIPT OF FUNDS. The
3 council may accept funds, grants and gifts from
4 any public or private source which shall be used
5 to defray the expenses incident to implementing
6 its responsibilities under this Act.

7 Sec. _____. The preceding ten sections shall be
8 known as and may be cities as the "Prosecuting
9 Attorneys Coordinating Office Act of 1974".

10 2. By renumbering the bill section numbers
11 accordingly.

12 3. By amending the title by inserting in line
13 1 after the word "Act" the following:
14 "relating to the establishment of the office of
15 prosecuting attorneys coordination and to prescribe
16 its powers and duties and".

S—2909 Filed. *adopted as amended*
April 26, 1974 *by 3602*

By RILEY, KINLEY and
LAMBORN

S-2955

1 Amend House File 1483, as amended and passed by
2 the House, page 2, after line 25, by inserting the
3 following section and renumbering the remaining
4 sections:

5 Sec. _____. Section thirteen point two (13.2),
6 Code 1973, is amended by adding the following new
7 subsection:

8 NEW SUBSECTION. Inform prosecuting attorneys and
9 assistant prosecuting attorneys to the state of all
10 changes in law and matters pertaining to their
11 office and establish programs for the continuing
12 education of prosecuting attorneys and assistant
13 prosecuting attorneys. The attorney general may
14 accept funds, grants and gifts from any public or
15 private source which shall be used to defray the
16 expenses incident to implementing his duties under
17 this subsection.

S-2955 Filed - *Adopted 5/4*
April 30, 1974

By KELLY

S-3002

1 Amend the Riley, et al amendment S-2909 to
2 House File 1483 as follows:

3 1. Page 5, by inserting after line 1 the
4 following:

5 Sec. _____. There is appropriated to the office
6 of prosecuting attorneys coordination within the
7 department of justice for the fiscal year beginning
8 July 1, 1974 the sum of fifty-four thousand six
9 hundred (54,600) dollars, or so much thereof as is
10 necessary, for the purpose of carrying out the provi-
11 sions relating to prosecuting attorneys coordination
12 contained in this Act.

13 2. Page 5, line 16, by inserting after the
14 word "duties" the words "and making an appropriation
15 therefor,".

S-3002 Filed - *Adopted 5/4*
May 2, 1974

BY SHAW

HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 1483

1 1. The House has amended the Senate Amendment to House
2 File 1483 by striking lines 27 through 141 and pages 2, 3,
3 4, 5 and 6; and lines 144 through 149 on page 6.

4 2. The House has concurred in the Senate Amendment as
5 amended.

Received from the House
May 4, 1974

Senate concurred 5/4