

APR 20 1978

SIFTING COMMITTEE

HOUSE FILE 2432

BY COMMITTEE ON EDUCATION

(Formerly Study Bill 481)

Passed House, Date 4-28-78 (p. 2039) Passed Senate, Date 5-10-78

Vote: Ayes 76 Nays 4 Vote: Ayes 47 Nays 6

Approved June 7, 1978

A BILL FOR

1 An Act relating to the employment and payment by the state
2 board of regents of attorneys and counselors as its
3 authorized bargaining representatives for purposes of
4 collective bargaining.

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

HOUSE FILE 2432

H-6197

1 Amend House File 2432 as follows:

2 1. By striking everything after the enacting
3 clause and inserting in lieu thereof the following:

4 "Section 1. Section two hundred sixty-two point
5 nine (262.9), Code 1977, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. In its discretion employ or retain
8 attorneys or counselors when acting as a public
9 employer for the purpose of carrying out collective
10 bargaining and related responsibilities provided for
11 under chapter twenty (20) of the Code. This subsection
12 shall supersede the provisions of section thirteen
13 point seven (13.7) of the Code.

14 Sec. 2. The state board of regents may make payment
15 to an attorney or counselor for services rendered
16 prior to the effective date of this Act to the state
17 board of regents in connection with its
18 responsibilities as a public employer pursuant to
19 chapter twenty (20) of the Code."

20 2. Amend the title, line 2, by striking the words
21 "as its".

22 3. Amend the title, by striking lines 3 and 4
23 and inserting in lieu thereof the words "for the
24 purpose of acting as an employer under the provisions
25 of chapter twenty (20) of the Code."

H-6197 FILED Adopted 7-28 BY PATCHETT of Johnson
APRIL 21, 1978 (p. 2038) CRAWFORD of Story
LIND of Black Hawk
HARGRAVE of Johnson
GARRISON of Black Hawk
SMALL of Johnson
EGENES of Story

1 Section 1. Chapter thirteen (13), Code 1977, is amended
2 by adding the following new section:

3 NEW SECTION. COLLECTIVE BARGAINING REPRESENTATIVES FOR
4 STATE BOARD OF REGENTS. Notwithstanding section thirteen
5 point seven (13.7) of the Code, the state board of regents:

6 1. May retain or employ attorneys or counselors as its
7 authorized bargaining representatives to carry out those
8 collective bargaining and related responsibilities set forth
9 in chapter twenty (20) of the Code;

10 2. Is authorized to make payment to any attorney or
11 counselor who rendered, heretofore, services for the state
12 board of regents in connection with the state board of regents'
13 responsibilities under chapter twenty (20) of the Code.

14 EXPLANATION

15 This bill empowers the state board of regents to hire
16 attorneys and counselors as authorized bargaining
17 representatives for purposes of collective bargaining and
18 to pay for those collective bargaining services already
19 rendered to the state board of regents by any attorney or
20 counselor without the approval of the attorney general or
21 the executive council.

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FISCAL NOTE

DATE: MAY 4, 1978
REQUESTED BY: SENATOR COLEMAN

STATE OF IOWA
FISCAL NOTE

Request No. 78-605

In compliance with a written request received May 4, 19 78, there is hereby submitted a Fiscal Note for House File 2432 pursuant to Joint Rule 16. Background information used in developing this Fiscal Note is available from the Legislative Fiscal Bureau, to members of the Legislature upon request.

House File 2432, An Act relating to the employment and payment by the state board of regents of attorneys and counselors for the purpose of acting as an employer under the provisions of chapter twenty (20) of the Code.

House File 2432 authorizes the Board of Regents to employ attorneys to carry out its responsibilities under the Public Employment Relations Act. It also authorizes the payment for attorneys for services already rendered.

Section 1 of the bill contains the basic authorization for future employment of attorneys to carry out the Board of Regents' responsibilities for collective bargaining. Such employment would be on a contract basis.

No additional cost for the administration of the Regents' collective bargaining responsibilities is anticipated under this section. It is a case of either employing full time personnel directly on the payroll or contracting for part-time services.

Section 2 of the bill provides for payment for services rendered in 76-77 in collective bargaining negotiations in the amount of \$30,065.27 which is now deposited in escrow pending the outcome of a court case. In addition, \$12,576.06 is obligated for services rendered since July 1, 1977, making a total of \$42,641.33.

It is hard to determine what the future cost would be because of the number of units that could be formed at each university.

SOURCE: BOARD OF REGENTS
FILED
MAY 10, 1978

BY GERRY D. RANKIN, DIRECTOR
LEGISLATIVE FISCAL BUREAU

Sen. Ed. 5/2 Do Pass 5/4

HOUSE FILE 2432

By COMMITTEE ON EDUCATION

(As Amended and Passed by the House)

Passed House, Date 4-28-78 (p. 3035) Passed Senate, Date 5-10-78 (p. 1367)

Vote: Ayes 76 Nays 4 Vote: Ayes _____ Nays _____

Approved 6-5-78

A BILL FOR

1 An Act relating to the employment and payment by the state
 2 board of regents of attorneys and counselors for the
 3 purpose of acting as an employer under the provisions
 4 of chapter twenty (20) of the Code.

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House Amendments _____

1 Section 1. Section two hundred sixty-two point nine
2 (262.9), Code 1977, is amended by adding the following new
3 subsection:

4 NEW SUBSECTION. In its discretion employ or retain attor-
5 neys or counselors when acting as a public employer for the
6 purpose of carrying out collective bargaining and related
7 responsibilities provided for under chapter twenty (20) of
8 the Code. This subsection shall supersede the provisions of
9 section thirteen point seven (13.7) of the Code.

10 Sec. 2. The state board of regents may make payment to
11 an attorney or counselor for services rendered prior to the
12 effective date of this Act to the state board of regents in
13 connection with its responsibilities as a public employer
14 pursuant to chapter twenty (20) of the Code.

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effective date of this Act to the state board of regents in connection with its responsibilities as a public employer pursuant to chapter twenty (20) of the Code.

HOUSE FILE 2432

AN ACT

RELATING TO THE EMPLOYMENT AND PAYMENT BY THE STATE BOARD OF REGENTS OF ATTORNEYS AND COUNSELORS FOR THE PURPOSE OF ACTING AS AN EMPLOYER UNDER THE PROVISIONS OF CHAPTER TWENTY (20) OF THE CODE.

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

Section 1. Section two hundred sixty-two point nine (262.9), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. In its discretion employ or retain attorneys or counselors when acting as a public employer for the purpose of carrying out collective bargaining and related responsibilities provided for under chapter twenty (20) of the Code. This subsection shall supersede the provisions of section thirteen point seven (13.7) of the Code.

Sec. 2. The state board of regents may make payment to an attorney or counselor for services rendered prior to the

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2432, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 5, 1978

ROBERT D. RAY
Governor