

Reprinted 4/77

MAR 24 1977

HOUSE FILE 449

Place On Calendar

By COMMITTEE ON STATE GOVERNMENT

Passed House, Date 4-12-77 (A. 1331) Passed Senate, Date _____

Vote: Ayes 91 Nays 0 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the legislative council, the method of
 2 appointing members to the legislative council and
 3 legislative fiscal committee, and grievances of
 4 employees subject to the policies of the legislative
 5 council.

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

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HOUSE FILE 449

H-3420

1 Amend House File 449 as follows:
 2 1. Page 5, by striking lines 24 through
 3 28 and inserting in lieu thereof the following:
 4 "Sec. 9. This Act, being deemed of imme-
 5 diate importance, shall take effect and be in
 6 force from and after its publication in The
 7 Hawk Eye, a newspaper published in Burlington,
 8 Iowa, and in The Garner Leader & Signal & Gar-
 9 ner Herald, a newspaper published in Garner,
 10 Iowa."

H-3420 FILED - *Adopted 4/12* BY MONROE of Des Moines
MARCH 28, 1977 *(1331)*

1 Section 1. Section two point forty-one (2.41), Code 1977,
2 is amended by striking the section and inserting in lieu
3 thereof the following:

4 2.41 LEGISLATIVE COUNCIL CREATED--MEMBERSHIP--VACANCIES.

5 1. There is created a continuing council of twenty members
6 of the general assembly, which shall be entitled the
7 legislative council. The council shall be composed of:

8 a. Ten ex officio voting members, who shall be the
9 president pro tempore of the senate, the speaker of the house
10 of representatives, the majority and minority floor leaders
11 of the senate, the chairperson and the minority party ranking
12 member of the senate committee on budget, the majority and
13 minority floor leaders of the house of representatives, and
14 the chairperson and the minority party ranking member of the
15 house committee on budget. If a person should hold two of
16 the positions qualifying the person for membership on the
17 legislative council, the floor leader of that person's party
18 shall designate another person to serve on the legislative
19 council.

20 b. Ten appointive voting members, three majority party
21 senators and two minority party senators appointed by the
22 president of the senate and three majority party
23 representatives and two minority party representatives
24 appointed by the speaker of the house.

25 c. The lieutenant governor shall be an ex officio nonvoting
26 member of the council.

27 2. Ex officio members of the legislative council shall
28 become council members automatically upon assuming their
29 respective offices. Other members of the legislative council
30 shall be appointed upon the adjournment of the first regular
31 session of each general assembly, and shall serve until their
32 respective successors are appointed upon adjournment of the
33 first regular session of the next succeeding general assembly
34 or until a vacancy is created as provided in paragraph b of
35 subsection three (3) of this section. The council shall hold

1 meetings at a time and place fixed by it.

2 3. Vacancies on the legislative council shall be filled
3 as follows:

4 a. A vacancy created when an ex officio voting member
5 of the council ceases to be a member of the general assembly
6 at a time when the general assembly is not in session, shall
7 be filled by the president of the senate or the speaker of
8 the house, as the case may be, for the period ending when
9 a successor to that office is appropriately selected. If
10 the speaker of the house ceases to be a member of the general
11 assembly when the general assembly is not in session, the
12 speaker pro tempore shall serve on the legislative council
13 until a new speaker is elected by the house.

14 b. A vacancy created when an appointive member of the
15 council resigns from the council or ceases to be a member
16 of the general assembly shall be filled by the president of
17 the senate or the speaker of the house of representatives,
18 as the case may be, within thirty days of the convening of
19 the next session of the general assembly for the balance of
20 the unexpired term.

21 c. When an election results in a change of party control
22 of either house of the general assembly, and all members of
23 the legislative council appointed from that house during the
24 previous general assembly as members of the former majority
25 party remain members of that house, the presiding officer
26 of that house may declare one such appointment terminated
27 and fill the vacancy so created for the balance of the
28 unexpired term.

29 d. A vacancy in the position of chairperson or vice
30 chairperson because of resignation or because the person
31 holding either of such positions ceases to be a member of
32 the general assembly shall be filled by election of the members
33 of the council for the balance of the unexpired term. If
34 the position of chairperson becomes vacant, either the vice
35 chairperson or a majority of the remaining members of the

1 council may call a meeting of the council by filing a request
2 for such meeting in the office of the legislative service
3 bureau.

4 e. If an election results in a change of political party
5 control of either house of the general assembly, any member
6 of the council may make a motion for the election of new
7 officers of the council at the first meeting of the council
8 following the convening of a first regular session of a general
9 assembly. The officers so elected shall serve until the
10 meeting following the appointment of members of the council
11 upon adjournment of the next succeeding first regular session
12 of a general assembly, at which time new officers shall be
13 elected by the council.

14 Sec. 2. Section two point forty-two (2.42), Code 1977,
15 is amended by adding the following new subsection:

16 NEW SUBSECTION. To hear and act upon appeals of aggrieved
17 employees of the legislative service bureau, legislative
18 fiscal bureau, and the office of the citizens' aide pursuant
19 to such rules of procedure as may be established by the
20 council.

21 Sec. 3. Section two point forty-five (2.45), subsection
22 two (2), Code 1977, is amended to read as follows:

23 2. The legislative fiscal committee, which shall be
24 composed of the ~~chairmen~~ chairpersons and the ranking minority
25 party members of the committees on ~~appropriations~~ budget of
26 the house and senate and two members of the legislative
27 council, one chosen by the president of the senate and one
28 chosen by the speaker of the house of representatives. In
29 addition, four members of the committee who are not members
30 of the legislative council and who are members of a committee
31 on ~~appropriations~~ budget; one member shall be appointed from
32 each party by the president of the senate and the speaker
33 of the house of representatives, respectively. The legislative
34 fiscal committee shall determine policies for the legislative
35 fiscal bureau and shall direct the administration of

1 performance audits and visitations, subject to the approval
2 of the legislative council.

3 Sec. 4. Section two point forty-seven (2.47), Code 1977,
4 is amended to read as follows:

5 2.47 PROCEDURE. The ~~chairmen~~ chairpersons of the
6 committees on ~~appropriations~~ budget shall serve as ~~cochairmen~~
7 cochairpersons of the legislative fiscal committee. The
8 legislative fiscal committee shall determine its own method
9 of procedure and shall meet as often as deemed necessary,
10 subject to the approval of the legislative council. It shall
11 keep a record of its proceedings which shall be open to public
12 inspection, and it shall inform the legislative council in
13 advance concerning the dates of meetings of the committee.

14 Sec. 5. Section two point forty-nine (2.49), subsection
15 three (3), Code 1977, is amended to read as follows:

16 3. Furnish information and act in an advisory capacity
17 to the committees on ~~appropriations~~ budget and committees
18 on ways and means of the general assembly and their several
19 subcommittees when so requested.

20 Sec. 6. Section two point fifty-one (2.51), Code 1977,
21 is amended to read as follows:

22 2.51 VISITATIONS. The legislative fiscal committee, with
23 the approval of the legislative council, may direct a
24 subcommittee, which shall be composed of the ~~chairmen~~
25 chairpersons and minority party ranking members of the
26 appropriate subcommittees of the committees on ~~appropriations~~
27 budget of the senate and the house of representatives and
28 the ~~chairmen~~ chairpersons of the appropriate standing
29 committees of the general assembly, to visit the offices and
30 facilities of any state office, department, agency, board,
31 bureau, or commission to review programs authorized by the
32 general assembly and the administration of the programs.
33 When the legislative fiscal committee visits the offices and
34 facilities of any state office, department, agency, board,
35 bureau, or commission to review programs authorized by the

1 general assembly and the administration of the programs, there
2 shall be included the ~~chairmen~~ chairpersons and minority party
3 ranking members of the appropriate subcommittees of the
4 committees on appropriations budget of the senate and the
5 house of representatives. The subcommittee and the legislative
6 fiscal committee shall be provided with information by the
7 legislative fiscal bureau concerning budgets, programs, and
8 legislation authorizing programs prior to any visitation.
9 Members of a committee shall be compensated pursuant to section
10 2.10, subsection 6. The subcommittee shall make reports and
11 recommendations as required by the legislative fiscal
12 committee.

13 Sec. 7. Section six hundred one G point three (601G.3),
14 unnumbered paragraph two (2), Code 1977, is amended to read
15 as follows:

16 The citizens' aide shall employ and supervise all employees
17 under ~~his~~ the citizens' aide's direction in such positions
18 and at such salaries as shall be authorized by the legislative
19 council. The legislative council shall hear and act upon
20 appeals of aggrieved employees of the office of the citizens'
21 aide.

22 Sec. 8. Sections one (1) and two (2) of this Act are
23 effective July 1, 1977.

24 Sec. 9. This Act, being deemed of immediate importance,
25 shall take effect and be in force from and after its
26 publication in _____, a newspaper published
27 in _____, Iowa, and in _____, a
28 newspaper published in _____, Iowa.

29 EXPLANATION

30 This Act relates to the membership of the legislative
31 council by providing that the chairpersonss and ranking members
32 of the House and Senate Budget Committees will be members
33 of the Council, instead of members of the Committees on
34 Appropriations, which are no longer in existence. In addition
35 the Act makes the Council a continuing body, able to function

1 during the First Session of the General Assembly. It is
2 doubtful that the law as it presently exists allows such
3 procedure without the Council being organized immediately
4 upon the convening of the first session of the General
5 Assembly. The positions that would be represented on the
6 Council have not been changed except in regard to reference
7 to the Budget Committees.

8 Section 2.41 as it presently exists is vague as to when
9 appointive positions expire. It is clear that the Speaker
10 of the House, President Pro Tempore, majority and minority
11 floor leaders of the two houses, and the chairpersons and
12 ranking members of the Committees on Appropriations (Budget)
13 are automatically members of the Council by virtue of their
14 positions. It is also clear as to the nonvoting membership
15 of the President of the Senate. However, there is a doubt
16 as to whether appointive members' terms expire upon the
17 convening of the First Session or, if such members are
18 reelected and occupy their same status which originally
19 qualified them for appointment to the Council, they continue
20 to serve until their successors are appointed. Conceivably
21 there could be a change in the majority and minority parties
22 in either house which would affect the membership of the
23 Council.

24 Section 1 of this Act provides that the appointive member-
25 ship of the Council would continue to serve in the positions
26 which originally qualified them for membership and, in
27 addition, provides a method for making an adjustment if the
28 majority and minority parties of the House should change or
29 a member is not reelected. The term of office for appointive
30 members would be from the adjournment of the first session
31 of a general assembly to the adjournment of the succeeding
32 first session of a general assembly, with the provision to
33 appoint persons to fill vacancies resulting from resignations
34 or ceasing to be members of the General Assembly or providing
35 an adjustment in case of a change in the majority and minority

1 parties. The ex officio members who serve on the Council
2 by virtue of their positions would serve from the time they
3 assume their offices until succeeded.

4 The primary purpose for having a continuing membership
5 of the Council is to allow the Council to set policy and carry
6 out its duties for the Legislative Service Bureau, Legislative
7 Fiscal Bureau, and Citizens' Aides' office during the first
8 session of a General Assembly. In addition the Council would
9 be able to complete projects it may have started but had not
10 completed and could better prepare for the next interim period.
11 The duties of the Council are enumerated in chapter 2 and
12 chapter 601G of the Code.

13 The bill will also provide for the Council to hear and
14 act upon appeals of aggrieved employees of the agencies for
15 which it establishes policy.

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H-3553

1 Amend House File 449 as follows:

2 1. By striking pages 1 and 2.

3 2. Page 3, by striking lines 1 through 13 and
4 inserting in lieu thereof the following:

5 "Section 1. Section two point forty-one (2.41),
6 Code 1977, is amended to read as follows:

7 2.41 LEGISLATIVE COUNCIL CREATED. There is hereby
8 created a continuing legislative council of twenty
9 members which shall be entitled the legislative
10 council. The council shall be composed of the
11 president pro tempore of the senate, the speaker of
12 the house of representatives, the majority and minority
13 floor leaders of the senate, the ~~chairman~~ chairperson
14 of the senate committee on ~~appropriations~~ budget,
15 the minority party ranking member of the senate
16 committee on ~~appropriations~~ budget, five members of
17 the senate appointed by the president of the senate,
18 the majority and minority floor leaders of the house
19 of representatives, the ~~chairman~~ chairperson of the
20 house committee on ~~appropriations~~ budget, the minority
21 party ranking member of the house committee on
22 ~~appropriations~~ budget, and five members of the house
23 of representatives appointed by the speaker of the
24 house of representatives. The lieutenant governor
25 shall be an ex officio nonvoting member of the council.
26 Of the five members appointed by the president of
27 the senate and speaker of the house, three from each
28 house shall be appointed from the majority party and
29 two from each house shall be appointed from the
30 minority party. Members shall be appointed prior
31 to the adjournment fourth Monday in January of the
32 first regular session of each general assembly and
33 shall serve for two-year terms ending upon the
34 convening of the following general assembly or when
35 their successors are appointed. Vacancies on the
36 council, including vacancies which occur when a member
37 of the council ceases to be a member of the general
38 assembly, shall be filled by the president of the
39 senate and the speaker of the house respectively.
40 Insofar as possible, ~~upon appointment of members of~~
41 ~~the council during each regular session of the general~~
42 ~~assembly,~~ at least two members of the council from
43 each house shall be reappointed. The council shall
44 hold regular meetings at a time and place fixed by
45 the council and shall meet at any other time and place
46 as the council may deem necessary."

47 3. Page 5, by striking lines 22 and 23 and
48 inserting in lieu thereof the following:

49 "Sec. 8. Notwithstanding section one (1) of this
50 Act, the initial appointments of legislative council

H-3553

Page 2

1 members shall be made not less than two weeks after
2 the effective date of this Act."

HOUSE FILE 449

H-3554

1 Amend the amendment H-3553 to House File 449
2 as follows:
3 1. Page 1, by striking lines 22 through 30 and
4 inserting in lieu thereof the words "appropriations
5 budget, the speaker pro tempore and five four members
6 of the house of representatives appointed by the
7 speaker of the house of representatives. The
8 lieutenant governor shall be an ex officio nonvoting
9 member of the council. Of the five members appointed
10 by the president of the senate and the four members
11 appointed by the speaker of the house, three from
12 each-house the senate shall be appointed from the
13 majority party and two from each-house shall be
14 appointed from the minority party and in the case
15 of the house two from the majority party and two from
16 the minority party shall be appointed. Members shall
17 be appointed prior".

H-3554 FILED *2/12-4/12 (1977)* BY SCHROEDER of Pottawattamie
APRIL 12, 1977

HOUSE FILE 449

H-3556

) 1 Amend House File 449 as follows:
2 1. Page 2, by striking lines 18, 19, and 20 and
3 inserting in lieu thereof the words "as the case may
4 be, not later than thirty days from the time the
5 vacancy is created, for the balance of the unexpired
6 term."

H-3556 FILED *W. Stroman 4/12 (1977)* BY STROMER of Hancock
APRIL 12, 1977

H-3564

1 Amend House File 449 as follows:

2 1. Page 3, by striking lines 16 through 20
3 and inserting in lieu thereof the following:
4 "NEW SUBSECTION. To appoint a subcommittee to
5 hear appeals of aggrieved employees. The subcom-
6 mittee shall present its recommendations to the
7 general assembly. If action is required, it shall
8 be as provided in the joint rules of the House and
9 Senate."

10 2. Page 5, by striking lines 19, 20 and 21 and
11 inserting in lieu thereof the following: "council.
12 The legislative council shall appoint a subcommit-
13 tee to hear appeals of aggrieved employees of the
14 office of the citizens' aide. The subcommittee
15 shall present its recommendations to the general
16 assembly. If action is required, it shall be as
17 provided in the joint rules of the House and Senate."

H-3564 FILED *Loss 4/12 (1332)* BY LIPSKY of Linn
APRIL 12, 1977

HOUSE FILE 449

H-3562

1 Amend House File 449 as follows:

2 1. Page 5, by striking lines 19, 20 and 21
3 and inserting in lieu thereof the following:
4 "council. The legislative council shall appoint a
5 subcommittee to hear appeals of aggrieved employees
6 of the office of the citizens' aide. The sub-
7 committee shall present its recommendations to the
8 general assembly. If action is required it shall
9 be as provided in the joint rules of the House and
10 Senate."

11 2. Page 5, line 26, by inserting after the
12 word "in" the words "Cedar Rapids Gazette".

13 3. Page 5, line 27, by inserting after the
14 first word "in" the words "Cedar Rapids".

15 4. Page 5, line 27, by inserting after the
16 words "and in" the words "Shell Rock News and New
17 Hartford Chronicle".

18 5. Page 5, line 28, by inserting after the
19 word "in" the words "Shell Rock".

H-3562 FILED *Withdrawn 4/12* BY LIPSKY of Linn
APRIL 12, 1977 *(1321)*

HOUSE FILE 449

H-3561

1 Amend House File 449 as follows:

2 Page 2, by striking all of lines 17, 18 and 19
3 and inserting in lieu thereof the following: "the
4 senate and the speaker of the house shall designate
5 from that person's party another person to serve
6 on the legislative council."

H-3561 FILED *Withdrawn 4/12* BY HARBOR of Mills
APRIL 12, 1977 *(1321)*

Sen. State Gov. 4/14 To Pass 4/27 (p. 1257)

HOUSE FILE 449

State Government
Drake, Chairperson
Glenn
Carr

HOUSE FILE 449

BY COMMITTEE ON STATE GOVERNMENT

(As Amended and Passed by the House)

Passed House, Date 4-12-77 (p. 1333) Passed Senate, Date 4-22-77 (1237)

Vote: Ayes 91 Nays 0 Vote: Ayes 49 Nays 0

Approved May 13, 1977

A BILL FOR

1 An Act relating to the legislative council, the method of
2 appointing members to the legislative council and
3 legislative fiscal committee, and grievances of
4 employees subject to the policies of the legislative
5 council.

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

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Certification of Publication 6/13 (p. 2702)

House Amendments _____

1 Section 1. Section two point forty-one (2.41), Code 1977,
2 is amended to read as follows:

3 2.41 LEGISLATIVE COUNCIL CREATED. There is hereby created
4 a continuing legislative council of twenty members which shall
5 be entitled the legislative council. The council shall be
6 composed of the president pro tempore of the senate, the
7 speaker of the house of representatives, the majority and
8 minority floor leaders of the senate, the chairman chairperson
9 of the senate committee on appropriations budget, the minority
10 party ranking member of the senate committee on appropriations
11 budget, five members of the senate appointed by the president
12 of the senate, the majority and minority floor leaders of
13 the house of representatives, the chairman chairperson of
14 the house committee on appropriations budget, the minority
15 party ranking member of the house committee on appropriations
16 budget, and five members of the house of representatives
17 appointed by the speaker of the house of representatives.
18 The lieutenant governor shall be an ex officio nonvoting
19 member of the council. Of the five members appointed by the
20 president of the senate and speaker of the house, three from
21 each house shall be appointed from the majority party and
22 two from each house shall be appointed from the minority
23 party. Members shall be appointed prior to the adjournment
24 fourth Monday in January of the first regular session of each
25 general assembly and shall serve for two-year terms ending
26 upon the convening of the following general assembly or when
27 their successors are appointed. Vacancies on the council,
28 including vacancies which occur when a member of the council
29 ceases to be a member of the general assembly, shall be filled
30 by the president of the senate and the speaker of the house
31 respectively. Insofar as possible, ~~upon appointment of members~~
32 ~~of the council during each regular session of the general~~
33 ~~assembly,~~ at least two members of the council from each house
34 shall be reappointed. The council shall hold regular meetings
35 at a time and place fixed by the council and shall meet at

1 any other time and place as the council may deem necessary.

2 Sec. 2. Section two point forty-two (2.42), Code 1977,
3 is amended by adding the following new subsection:

4 NEW SUBSECTION. To hear and act upon appeals of aggrieved
5 employees of the legislative service bureau, legislative
6 fiscal bureau, and the office of the citizens' aide pursuant
7 to such rules of procedure as may be established by the
8 council.

9 Sec. 3. Section two point forty-five (2.45), subsection
10 two (2), Code 1977, is amended to read as follows:

11 2. The legislative fiscal committee, which shall be
12 composed of the chairmen chairpersons and the ranking minority
13 party members of the committees on appropriations budget of
14 the house and senate and two members of the legislative
15 council, one chosen by the president of the senate and one
16 chosen by the speaker of the house of representatives. In
17 addition, four members of the committee who are not members
18 of the legislative council and who are members of a committee
19 on appropriations budget; one member shall be appointed from
20 each party by the president of the senate and the speaker
21 of the house of representatives, respectively. The legislative
22 fiscal committee shall determine policies for the legislative
23 fiscal bureau and shall direct the administration of
24 performance audits and visitations, subject to the approval
25 of the legislative council.

26 Sec. 4. Section two point forty-seven (2.47), Code 1977,
27 is amended to read as follows:

28 2.47 PROCEDURE. The chairmen chairpersons of the
29 committees on appropriations budget shall serve as cochairmen
30 cochairpersons of the legislative fiscal committee. The
31 legislative fiscal committee shall determine its own method
32 of procedure and shall meet as often as deemed necessary,
33 subject to the approval of the legislative council. It shall
34 keep a record of its proceedings which shall be open to public
35 inspection, and it shall inform the legislative council in

1 advance concerning the dates of meetings of the committee.

2 Sec. 5. Section two point forty-nine (2.49), subsection
3 three (3), Code 1977, is amended to read as follows:

4 3. Furnish information and act in an advisory capacity
5 to the committees on appropriations budget and committees
6 on ways and means of the general assembly and their several
7 subcommittees when so requested.

8 Sec. 6. Section two point fifty-one (2.51), Code 1977,
9 is amended to read as follows:

10 2.51 VISITATIONS. The legislative fiscal committee, with
11 the approval of the legislative council, may direct a
12 subcommittee, which shall be composed of the ~~chairmen~~
13 chairpersons and minority party ranking members of the
14 appropriate subcommittees of the committees on appropriations
15 budget of the senate and the house of representatives and
16 the ~~chairmen~~ chairpersons of the appropriate standing
17 committees of the general assembly, to visit the offices and
18 facilities of any state office, department, agency, board,
19 bureau, or commission to review programs authorized by the
20 general assembly and the administration of the programs.
21 When the legislative fiscal committee visits the offices and
22 facilities of any state office, department, agency, board,
23 bureau, or commission to review programs authorized by the
24 general assembly and the administration of the programs, there
25 shall be included the ~~chairmen~~ chairpersons and minority party
26 ranking members of the appropriate subcommittees of the
27 committees on appropriations budget of the senate and the
28 house of representatives. The subcommittee and the legislative
29 fiscal committee shall be provided with information by the
30 legislative fiscal bureau concerning budgets, programs, and
31 legislation authorizing programs prior to any visitation.
32 Members of a committee shall be compensated pursuant to section
33 2.10, subsection 6. The subcommittee shall make reports and
34 recommendations as required by the legislative fiscal
35 committee.

1 floor leaders of the two houses, and the chairpersons and
2 ranking members of the Committees on Appropriations (Budget)
3 are automatically members of the Council by virtue of their
4 positions. It is also clear as to the nonvoting membership
5 of the President of the Senate. However, there is a doubt
6 as to whether appointive members' terms expire upon the
7 convening of the First Session or, if such members are
8 reelected and occupy their same status which originally
9 qualified them for appointment to the Council, they continue
10 to serve until their successors are appointed. Conceivably
11 there could be a change in the majority and minority parties
12 in either house which would affect the membership of the
13 Council.

14 Section 1 of this Act provides that the appointive member-
15 ship of the Council would continue to serve in the positions
16 which originally qualified them for membership and, in
17 addition, provides a method for making an adjustment if the
18 majority and minority parties of the House should change or
19 a member is not reelected. The term of office for appointive
20 members would be from the adjournment of the first session
21 of a general assembly to the adjournment of the succeeding
22 first session of a general assembly, with the provision to
23 appoint persons to fill vacancies resulting from resignations
24 or ceasing to be members of the General Assembly or providing
25 an adjustment in case of a change in the majority and minority
26 parties. The ex officio members who serve on the Council
27 by virtue of their positions would serve from the time they
28 assume their offices until succeeded.

29 The primary purpose for having a continuing membership
30 of the Council is to allow the Council to set policy and carry
31 out its duties for the Legislative Service Bureau, Legislative
32 Fiscal Bureau, and Citizens' Aides' office during the first
33 session of a General Assembly. In addition the Council would
34 be able to complete projects it may have started but had not
35 completed and could better prepare for the next interim period.

1 The duties of the Council are enumerated in chapter 2 and
2 chapter 601G of the Code.

3 The bill will also provide for the Council to hear and
4 act upon appeals of aggrieved employees of the agencies for
5 which it establishes policy.

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HOUSE FILE 449

AN ACT

RELATING TO THE LEGISLATIVE COUNCIL, THE METHOD OF APPOINTING MEMBERS TO THE LEGISLATIVE COUNCIL AND LEGISLATIVE FISCAL COMMITTEE, AND GRIEVANCES OF EMPLOYEES SUBJECT TO THE POLICIES OF THE LEGISLATIVE COUNCIL.

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

Section 1. Section two point forty-one (2.41), Code 1977, is amended to read as follows:

2.41 LEGISLATIVE COUNCIL CREATED. There is hereby created a continuing legislative council of twenty members which shall be entitled the legislative council. The council shall be composed of the president pro tempore of the senate, the speaker of the house of representatives, the majority and minority floor leaders of the senate, the chairman chairperson of the senate committee on appropriations budget, the minority party ranking member of the senate committee on appropriations budget, five members of the senate appointed by the president of the senate, the majority and minority floor leaders of the house of representatives, the chairman chairperson of the house committee on appropriations budget, the minority party ranking member of the house committee on appropriations budget, and five members of the house of representatives appointed by the speaker of the house of representatives. The lieutenant governor shall be an ex officio nonvoting member of the council. Of the five members appointed by the president of the senate and speaker of the house, three from each house shall be appointed from the majority party and two from each house shall be appointed from the minority party. Members shall be appointed prior to the adjournment

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 president of the senate and the speaker of the house respectively. Insofar as possible, ~~upon appointment of members of the council during each regular session of the general assembly,~~ 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 council and shall meet at any other time and place as the council may deem necessary.

Sec. 2. Section two point forty-two (2.42), Code 1977, is amended by adding the following new subsection:

NEW SUBSECTION. To hear and act upon appeals of aggrieved employees of the legislative service bureau, legislative fiscal bureau, and the office of the citizens' aide pursuant to such rules of procedure as may be established by the council.

Sec. 3. Section two point forty-five (2.45), subsection two (2), Code 1977, is amended to read as follows:

2. The legislative fiscal committee, which shall be composed of the chairmen chairpersons and the ranking minority party members of the committees on appropriations budget of the house and senate and two members of the legislative council, one chosen by the president of the senate and one chosen by the speaker of the house of representatives. In addition, four members of the committee who are not members of the legislative council and who are members of a committee on appropriations budget; one member shall be appointed from each party by the president of the senate and the speaker

of the house of representatives, respectively. The legislative fiscal committee shall determine policies for the legislative fiscal bureau and shall direct the administration of performance audits and visitations, subject to the approval of the legislative council.

Sec. 4. Section two point forty-seven (2.47), Code 1977, is amended to read as follows:

2.47 PROCEDURE. The ~~chairmen~~ chairpersons of the committees on appropriations budget shall serve as ~~cochairmen~~ cochairpersons of the legislative fiscal committee. The legislative fiscal committee shall determine its own method of procedure and shall meet as often as deemed necessary, subject to the approval of the legislative council. It shall keep a record of its proceedings which shall be open to public inspection, and it shall inform the legislative council in advance concerning the dates of meetings of the committee.

Sec. 5. Section two point forty-nine (2.49), subsection three (3), Code 1977, is amended to read as follows:

3. Furnish information and act in an advisory capacity to the committees on appropriations budget and committees on ways and means of the general assembly and their several subcommittees when so requested.

Sec. 6. Section two point fifty-one (2.51), Code 1977, is amended to read as follows:

2.51 VISITATIONS. The legislative fiscal committee, with the approval of the legislative council, may direct a subcommittee, which shall be composed of the ~~chairmen~~ chairpersons and minority party ranking members of the appropriate subcommittees of the committees on appropriations budget of the senate and the house of representatives and the ~~chairmen~~ chairpersons of the appropriate standing committees of the general assembly, to visit the offices and

facilities of any state office, department, agency, board, bureau, or commission to review programs authorized by the general assembly and the administration of the programs. When the legislative fiscal committee visits the offices and facilities of any state office, department, agency, board, bureau, or commission to review programs authorized by the general assembly and the administration of the programs, there shall be included the ~~chairmen~~ chairpersons and minority party ranking members of the appropriate subcommittees of the committees on appropriations budget of the senate and the house of representatives. The subcommittee and the legislative fiscal committee shall be provided with information by the legislative fiscal bureau concerning budgets, programs, and legislation authorizing programs prior to any visitation. Members of a committee shall be compensated pursuant to section 2.10, subsection 6. The subcommittee shall make reports and recommendations as required by the legislative fiscal committee.

Sec. 7. Section six hundred one G point three (601G.3), unnumbered paragraph two (2), Code 1977, is amended to read as follows:

The citizens' aide shall employ and supervise all employees under ~~his~~ the citizens' aide's direction in such positions and at such salaries as shall be authorized by the legislative council. The legislative council shall hear and act upon appeals of aggrieved employees of the office of the citizens' aide.

Sec. 8. Notwithstanding section one (1) of this Act, the initial appointments of legislative council members shall be made not less than two weeks after the effective date of this Act.

Sec. 9. This Act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Hawk Eye, a newspaper published in Burlington, Iowa, and in The Garner Leader & Signal & Garner Herald, a newspaper published in Garner, Iowa.

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 449, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved _____, 1977

ROBERT D. RAY
Governor