

2/24/82 Motion R/c by Smith,
Schroeder, De Groot

3/5/82 Motion R/c by Smith Lost Placing
the others out of order.

HOUSE FILE 2357

FEB 17 1982

BY COMMITTEE ON CITIES

Place On Calendar

(Formerly Study Bill 650)

5. Cities 3/9/82
3/11/82 referred from Reg. Calendar to
State Gov.

Passed House, Date 2/24/82 Passed Senate, Date 4/1/82
Vote: Ayes 70 Nays 26 Vote: Ayes 38 Nays 9
Approved _____

Passed 4-13-82

Vote 77-21

A BILL FOR

Passed 4-19-82

Vote 42-3

- 1 An Act to establish an Iowa advisory commission on inter-
- 2 governmental relations.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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2357

1 Section 1. NEW SECTION. FINDINGS AND PURPOSES. The
2 general assembly finds that there is a need for an intergovern-
3 mental body to study and report on the:
4 1. Current pattern of local governmental structure.
5 2. Powers and functions of local governments, including
6 their fiscal powers.
7 3. Existing, necessary, and desirable relationships among
8 local governments and the state.
9 4. Necessary and desirable allocation of state and local
10 fiscal resources.
11 5. Necessary and desirable roles of the state as the
12 creator of local governmental systems.
13 6. Special problems in interstate areas facing their
14 general local governments, interstate regional units, and
15 areawide bodies, the studies, where possible, to be conducted
16 in conjunction with studies of commissions on intergovernmental
17 relations of other states.
18 Sec. 2. NEW SECTION. COMMISSION CREATED--MEMBERSHIP.
19 1. An Iowa advisory commission on intergovernmental
20 relations is created.
21 2. The membership of the commission shall be:
22 a. Four elected county officers, four elected city
23 officers, four state executive officers, and one member of
24 a regional council of governments established under chapter
25 28E, appointed by the governor.
26 b. Two state senators appointed by the president of the
27 senate.
28 c. Two state representatives appointed by the speaker
29 of the house of representatives.
30 3. In making all appointments, consideration shall be
31 given to population factors, the representation of different
32 geographic regions, and the demography of the state.
33 4. The initial chairperson of the commission shall be
34 designated by the governor from among the commission members
35 for a term of one year. Subsequent chairpersons shall be

1 elected by the commission from among its membership for a
2 term of one year. A vice chairperson may be elected by the
3 commission from among its membership for a one-year term.

4 In case of the absence or disability of the chairperson and
5 vice chairperson, the members of the commission shall elect
6 a temporary chairperson by a majority vote of those members
7 who are present and voting.

8 . 5. The members shall be appointed to two-year staggered
9 terms. However, of the members of the initial commission,
10 six of the members appointed by the governor shall be appointed
11 to an initial term of one year and one legislative member
12 appointed by the speaker of the house and the president of
13 the senate shall be appointed to initial terms of one year.
14 If a vacancy occurs, a successor shall be appointed to serve
15 the unexpired term. If a member ceases to be an officer or
16 employee of the governmental unit or agency which qualifies
17 the person for membership on the commission, a vacancy shall
18 exist and a successor shall be appointed in the same manner
19 and subject to the same qualifications as the original
20 appointment to serve the unexpired term.

21 6. Of the members who are county officers appointed by
22 the governor, not more than two shall be members of the same
23 political party. Of the members appointed by the president
24 of the senate and the speaker of the house of representatives,
25 not more than one from each house shall be a member of the
26 same political party.

27 7. A majority of the commission constitutes a quorum.

28 Sec. 3. NEW SECTION. DUTIES. The commission shall:

29 1. Engage in activities and make studies and investigations
30 as necessary or desirable to the accomplish the purposes
31 specified in section 1 of this Act.

32 2. Encourage and, where appropriate, coordinate studies
33 relating to intergovernmental relations conducted by
34 universities, state, local, and federal agencies, and research
35 and consulting organizations.

1 3. Review the recommendations of national commissions
2 studying federal, state, and local government relationships
3 and problems and assess their possible application to this
4 state.

5 Sec. 4. NEW SECTION. ORGANIZATION--MEETINGS.

6 1. The commission shall hold meetings quarterly and at
7 other times as necessary. The commission may hold public
8 hearings on matters within its purview.

9 2. The commission may establish committees as it deems
10 advisable and feasible, whose membership shall include at
11 least one member of the commission, but only the commission
12 may take final action on a proposal or recommendation of a
13 committee.

14 3. The commission is not an agency as defined in, or for
15 the purpose of, chapter 17A.

16 4. All meetings of the commission or a committee
17 established by the commission at which public business is
18 discussed or formal action is taken, shall comply with chapter
19 28A.

20 Sec. 5. NEW SECTION. STAFF--FACILITIES.

21 1. The commission may accept technical and operational
22 assistance from the staff of the office for planning and
23 programming, other state and federal agencies, units of local
24 governments, or any other public or private source. The
25 director of the office for planning and programming shall
26 assign professional, technical, legal, clerical, or other
27 staff, as necessary and authorized for continued operation
28 of the commission.

29 2. The director of the office for planning and programming
30 may also provide available facilities and equipment as
31 requested by the commission.

32 3. The members of the commission are entitled to
33 reimbursement for travel and other necessary expenses incurred
34 in the performance of official duties. The expenses shall
35 be paid from funds appropriated to the office for planning

1 and programming.

2 Sec. 6. NEW SECTION. REPORTS. The commission shall
3 report on its findings and recommendations from time to time.
4 The reports shall be made available to the public.

5 Sec. 7. NEW SECTION. INFORMATION. The commission may
6 request from any state agency or official the information
7 and assistance as needed to perform the duties of the
8 commission. A state agency or official shall furnish the
9 information or assistance requested within the authority and
10 resources of the state agency or official. This section does
11 not require the production or opening of any public record
12 which is required by law to be kept private or confidential.

13 Sec. 8. REPEALER. This Act is repealed effective June
14 30, 1986.

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EXPLANATION

16 This bill establishes an Iowa advisory commission on inter-
17 governmental relations to study and report on matters relating
18 to local government structure, allocation of resources,
19 relationships between the state and local governments and
20 among local governments and interstate and area governmental
21 problems.

22 The commission shall have seventeen members selected as
23 follows:

24 1. Four elected county officers, four elected city
25 officers, four state executive officers and one member of
26 a regional council of governments, appointed by the governor.

27 2. Two state senators appointed by the president of the
28 senate.

29 3. Two state representatives appointed by the speaker
30 of the house.

31 The terms of office are two years. Vacancies are filled
32 for the unexpired term in the same manner as the original
33 appointment. Members are entitled to reimbursement for ex-
34 penses incurred in the performance of official business.

35 The director of the office for planning and programming

1 shall assign staff assistance to the commission and may provide
2 available facilities and equipment requested by the commission.

3 Meetings of the commissions or committees established by
4 the commission are to be held in compliance with chapter 28A
5 and the studies and recommendations of the commission are
6 to be made available to the public.

7 This bill takes effect July 1 following its enactment.

8 The bill is repealed effective June 30, 1986.

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Sen. Cities 2/9 amended per 5228 & D. Pass 3/10 (p. 683)

to. State Govt. 3/11

HOUSE FILE 2357

State Government
Nystrom, Chair
Schwengels
Slater

HOUSE FILE 2357

BY COMMITTEE ON CITIES

(As Amended and Passed by the House)

As Passed House, Date 4-12-82 (p. 1444) Passed Senate, Date 4-1-82 (p. 981)

Vote: Ayes 77 Nays 21 Vote: Ayes 38 Nays 9

Approved May 13, 1982

*Repassed Senate as further amended by House
4-19-82 (p. 1263)*

42-3

A BILL FOR

1 An Act to establish an Iowa advisory commission on inter-
2 governmental relations.

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

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HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 2357

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S-5607

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1 Amend amendment H-5692, the Senate amendment to
2 House File 2357, as amended, passed and reprinted
3 by the House, as follows:

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4 1. Page 1, line 5, by inserting after the word
5 "appointed" the following: "state officers, four
6 elected or appointed".

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S-5607 FILED
APRIL 15, 1982

RECEIVED FROM THE HOUSE

Senate concurred 4/19 (p. 1263)

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1 Section 1. NEW SECTION. FINDINGS AND PURPOSES. The
2 general assembly finds that there is a need for an intergovern-
3 mental body to study and report on the:

4 1. Current pattern of local governmental structure.

5 2. Powers and functions of local governments, including
6 their fiscal powers.

7 3. Existing, necessary, and desirable relationships among
8 local governments and the state.

9 4. Necessary and desirable allocation of state and local
10 fiscal resources.

11 5. Necessary and desirable roles of the state as the
12 creator of local governmental systems.

13 6. Special problems in interstate areas facing their
14 general local governments, interstate regional units, and
15 areawide bodies, the studies, where possible, to be conducted
16 in conjunction with studies of commissions on intergovernmental
17 relations of other states.

18 Sec. 2. NEW SECTION. COMMISSION CREATED--MEMBERSHIP.

19 1. An Iowa advisory commission on intergovernmental
20 relations is created.

21 2. The membership of the commission shall be:

22 a. Four elected county officers, four elected city
23 officers, four elected officers of school corporations, four
24 state executive officers, and one member of a regional council
25 of governments established under chapter 28E, appointed by
26 the governor.

27 b. Two state senators appointed by the president of the
28 senate.

29 c. Two state representatives appointed by the speaker
30 of the house of representatives.

31 3. In making all appointments, consideration shall be
32 given to population factors, the representation of different
33 geographic regions, and the demography of the state.

34 4. The initial chairperson of the commission shall be
35 designated by the governor from among the commission members

1 for a term of one year. Subsequent chairpersons shall be
2 elected by the commission from among its membership for a
3 term of one year. A vice chairperson may be elected by the
4 commission from among its membership for a one-year term.
5 In case of the absence or disability of the chairperson and
6 vice chairperson, the members of the commission shall elect
7 a temporary chairperson by a majority vote of those members
8 who are present and voting.

9 5. The members shall be appointed to two-year staggered
10 terms. However, of the members of the initial commission,
11 eight of the members appointed by the governor shall be
12 appointed to an initial term of one year and one legisla-
13 tive member appointed by the speaker of the house and the
14 president of the senate shall be appointed to initial terms
15 of one year. If a vacancy occurs, a successor shall be
16 appointed to serve the unexpired term. If a member ceases
17 to be an officer or employee of the governmental unit or
18 agency which qualifies the person for membership on the
19 commission, a vacancy shall exist and a successor shall be
20 appointed in the same manner and subject to the same
21 qualifications as the original appointment to serve the
22 unexpired term.

23 6. Of the members who are county officers appointed by
24 the governor, not more than two shall be members of the same
25 political party. Of the members appointed by the president
26 of the senate and the speaker of the house of representatives,
27 not more than one from each house shall be a member of the
28 same political party.

29 7. A majority of the commission constitutes a quorum.

30 Sec. 3. NEW SECTION. DUTIES. The commission shall:

31 1. Engage in activities and make studies and investigations
32 as necessary or desirable to the accomplish the purposes
33 specified in section 1 of this Act.

34 2. Encourage and, where appropriate, coordinate studies
35 relating to intergovernmental relations conducted by

1 universities, state, local, and federal agencies, and research
2 and consulting organizations.

3 3. Review the recommendations of national commissions
4 studying federal, state, and local government relationships
5 and problems and assess their possible application to this
6 state.

7 Sec. 4. NEW SECTION. ORGANIZATION--MEETINGS.

8 1. The commission shall hold meetings quarterly and at
9 other times as necessary. The commission may hold public
10 hearings on matters within its purview.

11 2. The commission may establish committees as it deems
12 advisable and feasible, whose membership shall include at
13 least one member of the commission, but only the commission
14 may take final action on a proposal or recommendation of a
15 committee.

16 3. The commission is not an agency as defined in, or for
17 the purpose of, chapter 17A.

18 4. All meetings of the commission or a committee
19 established by the commission at which public business is
20 discussed or formal action is taken, shall comply with chapter
21 28A.

22 Sec. 5. NEW SECTION. STAFF--FACILITIES.

23 1. The commission may accept technical and operational
24 assistance from the staff of the office for planning and
25 programming, other state and federal agencies, units of local
26 governments, or any other public or private source. The
27 director of the office for planning and programming shall
28 assign professional, technical, legal, clerical, or other
29 staff, as necessary and authorized for continued operation
30 of the commission.

31 2. The director of the office for planning and programming
32 may also provide available facilities and equipment as
33 requested by the commission.

34 3. The members of the commission are entitled to
35 reimbursement for travel and other necessary expenses incurred

1 in the performance of official duties. The expenses shall
2 be paid from funds appropriated to the office for planning
3 and programming.

5-2-84 Sec. 6. NEW SECTION. REPORTS. The commission shall
4 report on its findings and recommendations from time to time.
5 The reports shall be made available to the public.

6 Sec. 7. NEW SECTION. INFORMATION. The commission may
7 request from any state agency or official the information
8 and assistance as needed to perform the duties of the
9 commission. A state agency or official shall furnish the
10 information or assistance requested within the authority and
11 resources of the state agency or official. This section does
12 not require the production or opening of any public record
13 which is required by law to be kept private or confidential.

5442> 14 Sec. 8. REPEALER. This Act is repealed effective June
15 16 30, 1986.

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HOUSE FILE 2357

H-5207

- 1 Amend House File 2357 as follows:
- 2 1. Page 3, by striking line 25 and inserting in
- 3 lieu thereof the words "auditor of state shall".
- 4 2. Page 3, by striking line 29 and inserting in
- 5 lieu thereof the words and figure:
- 6 "2. The director of any state agency".

H-5207 FILED FEBRUARY 22, 1982

BY SWARTZ of Marshall

Lost 2/24 (p 523)

HOUSE FILE 2357

H-5221

- 1 Amend House File 2357 as follows:
- 2 1. Page 1, line 23, by inserting before the word
- 3 "four" the words "four elected officers of school
- 4 corporations,".
- 5 2. Page 2, line 10, by striking the word "six"
- 6 and inserting in lieu thereof the word "eight".

H-5221 FILED FEBRUARY 23, 1982 BY DAGGETT of Taylor

Adopted 2/24 (p 523)

HORN of Linn

GROTH of Buena Vista

SWEARINGEN of Keokuk HALVORSON of Clayton

CRABB of Crawford ANDERSON of Jasper

HOUSE FILE 2357

H-5234

- 1 Amend House File 2357, as follows:
- 2 1. By striking Page 3, line 32, through Page 4,
- 3 line 1, and inserting in lieu thereof the following:
- 4 "3. Members of the commission shall receive
- 5 actual and reasonable expenses, including travel at
- 6 the state rate set forth in section 18.117. In
- 7 addition to the reimbursement for expenses as provided
- 8 for in this section, members of the commission who are
- 9 not officers or members of local government under
- 10 section 2, subsection 2, paragraph a of this Act,
- 11 shall receive a per diem of forty dollars for each
- 12 day in which they are engaged in the performance of
- 13 the duties of the commission."

H-5234 FILED FEBRUARY 23, 1982 BY SCHROEDER of Pottawattamie

Lost 2/24 (p 524)

SENATE AMENDMENT TO HOUSE FILE 2357

H-5692

1 Amend House File 2357 as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 22 through 26 and
4 inserting in lieu thereof the following:
5 "a. Four elected or appointed county officers,
6 four elected or appointed city officers, four elected
7 or appointed officers of school corporations, and
8 one member or staff member of a regional council of
9 governments established under chapter 28E, appointed
10 by the governor."
11 2. Page 3, line 30, by inserting after the word
12 "commission." the following: "However, the technical
13 and operational assistance shall be provided within
14 appropriations made to the office to carry out its
15 powers and duties under chapter 7A and additional
16 staff shall not be employed to provide the technical
17 and operational assistance."
18 3. Page 4, by striking lines 4 through 6 and
19 inserting in lieu thereof the following:
20 "Sec. 6. NEW SECTION. REPORTS. The commission
21 shall submit an annual report of its findings and
22 recommendations to the governor, president of the
23 senate, speaker of the house, and the majority and
24 minority leaders of each house, and make the report
25 available to legislators upon request. The report
26 shall also be made available to the public."

H-5692 FILED APRIL 5, 1982

RECEIVED FROM THE SENATE

House amended & concurred 4/13 (p. 1444)

HOUSE FILE 2357

H-5828

1 Amend amendment H-5692, the Senate amendment to
2 House File 2357, as amended, passed and reprinted by
3 the House, as follows:
4 1. Page 1, line 5, by inserting after the word
5 "appointed" the following: "state officers, four
6 elected or appointed".

H-5828 FILED APRIL 13, 1982 BY SMITH of Scott

Adopted 4/13 (p. 1444)

S-5442

- 1 Amend House File 2357 as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 4, by inserting after line 14 the
4 following:
5 "Sec. ____ . Section 400.11, unnumbered paragraph
6 3, Code 1981, is amended to read as follows:
7 Except where such the preferred list exists, persons
8 on the certified eligible list for promotion shall
9 hold preference for promotion two years following
10 the date of certification, except for certified
11 eligible lists of firemen as defined in section 411.1,
12 subsection 3, which lists shall hold preference for
13 three years, after which ~~said~~ the lists shall be
14 canceled and ~~no~~ promotion to such the grade shall
15 not be made until a new list has been certified
16 eligible for promotion."
17. 2. By renumbering as necessary.

S-5442 FILED
APRIL 1, 1982

BY SUE YENGER

RULED NOT GERMANE (p. 981)

JAMES D. WELLS

DALE TIEDEN

FORREST V. SCHWENGELS

ARNE WALDSTEIN

BILL HUTCHINS

HOUSE FILE 2357

S-5228

1 Amend House File 2357 as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 1, by striking lines 22 through 26 and
4 inserting in lieu thereof the following:
5 "a. Four elected or appointed county officers,
6 four elected or appointed city officers, four elected
7 or appointed officers of school corporations, and
8 one member or staff member of a regional council of
9 governments established under chapter 28E, appointed
10 by the governor."
11 2. Page 3, line 30, by inserting after the word
12 "commission." the following: "However, the technical
13 and operational assistance shall be provided within
14 appropriations made to the office to carry out its
15 powers and duties under chapter 7A and additional
16 staff shall not be employed to provide the technical
17 and operational assistance."
18 3. Page 4, by striking lines 4 through 6 and
19 inserting in lieu thereof the following:
20 "Sec. 6. NEW SECTION. REPORTS. The commission
21 shall submit an annual report of its findings and
22 recommendations to the governor, president of the
23 senate, speaker of the house, and the majority and
24 minority leaders of each house, and make the report
25 available to legislators upon request. The report
26 shall also be made available to the public."

S-5228 FILED
MARCH 10, 1982
Adopted 4/1 (p. 981)

BY COMMITTEE ON CITIES
DAVID M. READINGER, CHAIR

HOUSE FILE 2357

AN ACT

TO ESTABLISH AN IOWA ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS.

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

Section 1. NEW SECTION. FINDINGS AND PURPOSES. The general assembly finds that there is a need for an intergovernmental body to study and report on the:

1. Current pattern of local governmental structure.
2. Powers and functions of local governments, including their fiscal powers.
3. Existing, necessary, and desirable relationships among local governments and the state.
4. Necessary and desirable allocation of state and local fiscal resources.
5. Necessary and desirable roles of the state as the creator of local governmental systems.
6. Special problems in interstate areas facing their general local governments, interstate regional units, and area-wide bodies, the studies, where possible, to be conducted in conjunction with studies of commissions on intergovernmental relations of other states.

Sec. 2. NEW SECTION. COMMISSION CREATED--MEMBERSHIP.

1. An Iowa advisory commission on intergovernmental relations is created.
2. The membership of the commission shall be:
 - a. Four elected or appointed state officers, four elected or appointed county officers, four elected or appointed city

officers, four elected or appointed officers of school corporations, and one member or staff member of a regional council of governments established under chapter 28E, appointed by the governor.

b. Two state senators appointed by the president of the senate.

c. Two state representatives appointed by the speaker of the house of representatives.

3. In making all appointments, consideration shall be given to population factors, the representation of different geographic regions, and the demography of the state.

4. The initial chairperson of the commission shall be designated by the governor from among the commission members for a term of one year. Subsequent chairpersons shall be elected by the commission from among its membership for a term of one year. A vice chairperson may be elected by the commission from among its membership for a one-year term. In case of the absence or disability of the chairperson and vice chairperson, the members of the commission shall elect a temporary chairperson by a majority vote of those members who are present and voting.

5. The members shall be appointed to two-year staggered terms. However, of the members of the initial commission, eight of the members appointed by the governor shall be appointed to an initial term of one year and one legislative member appointed by the speaker of the house and the president of the senate shall be appointed to initial terms of one year. If a vacancy occurs, a successor shall be appointed to serve the unexpired term. If a member ceases to be an officer or employee of the governmental unit or agency which qualifies the person for membership on the commission, a vacancy shall exist and a successor shall be appointed in the same manner and subject to the same qualifications as the original appointment to serve the unexpired term.

6. Of the members who are county officers appointed by the governor, not more than two shall be members of the same political party. Of the members appointed by the president of the senate and the speaker of the house of representatives, not more than one from each house shall be a member of the same political party.

7. A majority of the commission constitutes a quorum.

Sec. 3. NEW SECTION. DUTIES. The commission shall:

1. Engage in activities and make studies and investigations as necessary or desirable to accomplish the purposes specified in section 1 of this Act.

2. Encourage and, where appropriate, coordinate studies relating to intergovernmental relations conducted by universities, state, local, and federal agencies, and research and consulting organizations.

3. Review the recommendations of national commissions studying federal, state, and local government relationships and problems and assess their possible application to this state.

Sec. 4. NEW SECTION. ORGANIZATION--MEETINGS.

1. The commission shall hold meetings quarterly and at other times as necessary. The commission may hold public hearings on matters within its purview.

2. The commission may establish committees as it deems advisable and feasible, whose membership shall include at least one member of the commission, but only the commission may take final action on a proposal or recommendation of a committee.

3. The commission is not an agency as defined in, or for the purpose of, chapter 17A.

4. All meetings of the commission or a committee established by the commission at which public business is discussed or formal action is taken, shall comply with chapter 28A.

Sec. 5. NEW SECTION. STAFF--FACILITIES.

1. The commission may accept technical and operational assistance from the staff of the office for planning and programming, other state and federal agencies, units of local governments, or any other public or private source. The director of the office for planning and programming shall assign professional, technical, legal, clerical, or other staff, as necessary and authorized for continued operation of the commission. However, the technical and operational assistance shall be provided within appropriations made to the office to carry out its powers and duties under chapter 7A and additional staff shall not be employed to provide the technical and operational assistance.

2. The director of the office for planning and programming may also provide available facilities and equipment as requested by the commission.

3. The members of the commission are entitled to reimbursement for travel and other necessary expenses incurred in the performance of official duties. The expenses shall be paid from funds appropriated to the office for planning and programming.

Sec. 6. NEW SECTION. REPORTS. The commission shall submit an annual report of its findings and recommendations to the governor, president of the senate, speaker of the house, and the majority and minority leaders of each house, and make the report available to legislators upon request. The report shall also be made available to the public.

Sec. 7. NEW SECTION. INFORMATION. The commission may request from any state agency or official the information and assistance as needed to perform the duties of the commission. A state agency or official shall furnish the information or assistance requested within the authority and resources of the state agency or official. This section does not require the production or opening of any public record which is required by law to be kept private or confidential.

Sec. 8. REPEALER. This Act is repealed effective June 30, 1986.

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2357, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved May 13, 1982

ROBERT D. RAY
Governor