

3-17-95 Do Pass
5-4-95 Still Gov.
5-4-95 Do Pass

MAR 13 1995

HOUSE FILE 387

EDUCATION

BY HANSON, MYERS, BURNETT,
MASCHER, BERNAU, and
RANTS

(COMPANION TO LSB 2250SS
BY HAMMOND)

Passed House, Date 4-3-95 Passed Senate, Date 4/10/95 (1093p)
Vote: Ayes 81 Nays 16 Vote: Ayes 50 Nays 0

~~Repassed 4-17-95~~ Approved 5/1/95 ~~Repassed 4/24/95~~
Vote 97-0 (P. 1599) A BILL FOR Vote 49-0 (p. 1368)

- 1 An Act relating to the appointment of the student member to the
- 2 state board of regents, reducing the student member's term,
- 3 and providing implementation and transition provisions.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HF 387

1 Section 1. Section 262.2, Code 1995, is amended to read as
2 follows:

3 262.2 APPOINTMENT -- TERM OF OFFICE.

4 1. The members shall be appointed by the governor subject
5 to confirmation by the senate. The term of each member of the
6 board shall be for six years, except the term of the ninth
7 member shall be for two years. If the ninth member graduates
8 before the end of the two-year term, the ninth member may
9 remain on the board until the term expires if the member's
10 graduation is within one year of the date of the expiration.

11 The terms of three members of the board shall begin and expire
12 in each odd-numbered year as provided in section 69.19.

13 2. The recognized student government organization at each
14 of the three institutions of higher learning under the control
15 of the board shall submit, at least biennially, to the
16 governor a list of at least three names of students eligible
17 to represent the institution on the board. The governor may
18 appoint the ninth member of the board from the lists of names
19 submitted by the recognized student organizations.

20 Sec. 2. Section 262.6, Code 1995, is amended to read as
21 follows:

22 262.6 VACANCIES.

23 Vacancies shall be filled in the same manner ~~in which~~
24 ~~regular appointments are required to be~~ as original
25 appointments are made and shall be for the remainder of the
26 unexpired term of the vacancy. If the ninth member resigns
27 prior to the expiration of the term, the individual appointed
28 to fill the vacancy shall meet the requirements for the ninth
29 member specified in section sections 262.1 and 262.2. ~~Other~~
30 ~~vacancies occurring prior to the expiration of the ninth~~
31 ~~member's term shall be filled in the same manner as the~~
32 ~~original appointments for these vacancies.~~

33 Sec. 3. IMPLEMENTATION AND TRANSITION PROVISION. In order
34 to implement this Act and provide for the transition of the
35 reduction in the term of service of the ninth member of the

1 state board of regents, notwithstanding any provision of this
2 Act to the contrary, the term of the ninth member serving on
3 the board on the effective date of this Act shall continue
4 until the term expires on April 30, 1997, and the governor may
5 appoint a ninth member from the lists of names provided by the
6 recognized student organization of each of the institutions of
7 higher learning for the two-year term of the ninth member
8 commencing May 1, 1997.

9 EXPLANATION

10 This bill reduces the term of the student member, or ninth
11 member, of the state board of regents from six to two years.
12 Under the bill, the governor may appoint the ninth member from
13 lists of students submitted by the recognized student
14 government organization at each of the institutions of higher
15 learning under the control of the board.

16 If the student board member graduates before expiration of
17 the two-year term, the bill provides that the student member
18 may remain on the board if the student's graduation is within
19 one year of the date of the expiration of the student's term
20 on the board.

21 Implementation and transition provisions included in the
22 bill permit the current student member on the board to finish
23 the current term, which expires April 30, 1997.

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HOUSE FILE 387

S-3374

- 1 Amend House File 387, as passed by the House, as
2 follows:
- 3 1. Page 1, line 16, by inserting before the word
4 "governor" the following: "executive director who
5 shall transfer to the".
- 6 2. Page 1, by inserting after line 32 the
7 following:
- 8 "Sec. 201. Section 262.9, Code 1995, is amended by
9 adding the following new subsection:
- 10 NEW SUBSECTION. 30. Appoint an executive
11 director, subject to senate confirmation, to
12 administer the office of the board. The executive
13 director shall serve at the pleasure of the board.
14 The executive director shall be subject to reconfirma-
15 tion by the senate during the regular session of the
16 general assembly convening in January if the executive
17 director will complete a fourth year in office on or
18 before the following April 30. The executive director
19 is exempt from the merit system provisions of chapter
20 19A. The salary of the executive director shall be
21 set within a range established by the general
22 assembly. The executive director shall be selected
23 primarily for administrative ability and knowledge in
24 the field, without regard to political affiliation."
- 25 3. Page 2, line 5, by inserting after the word
26 "provided" the following: "to the executive
27 director".
- 28 4. Page 2, by inserting after line 8 the
29 following:
- 30 "Sec. ____ . EFFECTIVE DATE. Section 201 of this
31 Act takes effect July 1, 1996."
- 32 5. By renumbering as necessary.

By JIM LIND

S-3374 FILED APRIL 10, 1995

ADOPTED (p. 1093)

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 387

454

Amend the Senate amendment, H-3836, to House File 387, as passed by the House, as follows:

1. Page 1, by inserting after line 2 the following:
"____". Page 1, line 7, by striking the word "two" and inserting the following: "four".
2. Page 1, by striking lines 6 through 24.
3. Page 1, by inserting after line 27 the following:
"____". Page 2, line 7, by striking the word "two-year" and inserting the following: "four-year".
4. Page 1, by striking lines 28 through 31.
5. By renumbering, relettering, or redesignating and correcting internal references as necessary.

RECEIVED FROM THE HOUSE

S-3454 FILED APRIL 17, 1995

Senate concurred 4/24/95 (p. 1367)

SENATE AMENDMENT TO HOUSE FILE 387

H-3836

- 1 Amend House File 387, as passed by the House, as
2 follows:
- 3 1. Page 1, line 16, by inserting before the word
4 "governor" the following: "executive director who
5 shall transfer to the".
- 6 2. Page 1, by inserting after line 32 the
7 following:
- 8 "Sec. 201. Section 262.9, Code 1995, is amended by
9 adding the following new subsection:
- 10 NEW SUBSECTION. 30. Appoint an executive
11 director, subject to senate confirmation, to
12 administer the office of the board. The executive
13 director shall serve at the pleasure of the board.
14 The executive director shall be subject to reconfirma-
15 tion by the senate during the regular session of the
16 general assembly convening in January if the executive
17 director will complete a fourth year in office on or
18 before the following April 30. The executive director
19 is exempt from the merit system provisions of chapter
20 19A. The salary of the executive director shall be
21 set within a range established by the general
22 assembly. The executive director shall be selected
23 primarily for administrative ability and knowledge in
24 the field, without regard to political affiliation."
- 25 3. Page 2, line 5, by inserting after the word
26 "provided" the following: "to the executive
27 director".
- 28 4. Page 2, by inserting after line 8 the
29 following:
- 30 "Sec. ____ . EFFECTIVE DATE. Section 201 of this
31 Act takes effect July 1, 1996."
- 32 5. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-3836 FILED APRIL 10, 1995

*House Concurred**4-17-95**(P. 1599)*

HOUSE FILE 387

H-3921

- 1 Amend the Senate amendment, H-3836, to House File
 2 387, as passed by the House, as follows:
 3 1. Page 1, by striking lines 6 through 24.
 4 2. Page 1, by striking lines 28 through 31.
 By GRUBBS of Scott

H-3921 FILED APRIL 12, 1995

*adopted 4-17-95
 (P.1599)*

HOUSE FILE 387

H-3925

- 1 Amend the Senate amendment, H-3836, to House File
 2 387, as passed by the House, as follows:
 3 1. Page 1, by inserting after line 2 the
 4 following:
 5 "____. Page 1, line 7, by striking the word "two"
 6 and inserting the following: "four."
 7 2. Page 1, by inserting after line 27 the
 8 following:
 9 "____. Page 2, line 7, by striking the word "two-
 10 year" and inserting the following: "four-year".
 By GREIG of Emmet

H-3925 FILED APRIL 12, 1995

*With draw - Motion to R/C -
 4-17-95 H 3925 - Now adopted
 (P.1599) 4-17-95
 (P.1599)*



OFFICE OF THE GOVERNOR

STATE CAPITOL
DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD
GOVERNOR

May 1, 1995

The Honorable Ron Corbett
Speaker of the House
House of Representatives
State Capitol Building
L O C A L

RECEIVED

MAY 01 1995

LEGISLATIVE SERVICE
BUREAU

Dear Mr. Speaker:

House File 387, an act relating to the appointment of the student member to the State Board of Regents, reducing the student member's term and providing implementation and transition provisions, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

This bill reduces the term of the student member of the Board of Regents from six years to four. The Board of Regents, as well as individual members of the Board, have urged a veto of this bill.

Maintaining the student position on the Board of Regents as a full Regent in every respect, with full voting authority and length of service is important. This bill risks reducing the student role to one that is not equal to other Regents in the decision-making process. Making this change to the statute regarding the student member of the Board of Regents dilutes the student role by reducing the length of term to one that is less than the other Regents. I believe that our present system has resulted in excellent student representation on the Board. We should not dilute or diminish a system that has served Iowa's higher education well.

For the above reason, I hereby respectfully disapprove House File 387.

Sincerely,

Terry E. Branstad
Governor

TEB/ps

cc: Secretary of the Senate
Chief Clerk of the House
Secretary of State

revised

HOUSE FILE 387

AN ACT

RELATING TO THE APPOINTMENT OF THE STUDENT MEMBER TO THE
STATE BOARD OF REGENTS, REDUCING THE STUDENT MEMBER'S TERM,
AND PROVIDING IMPLEMENTATION AND TRANSITION PROVISIONS.

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

Section 1. Section 262.2, Code 1995, is amended to read as follows:

262.2 APPOINTMENT -- TERM OF OFFICE.

1. The members shall be appointed by the governor subject to confirmation by the senate. The term of each member of the board shall be for six years, except the term of the ninth member shall be for four years. If the ninth member graduates

before the end of the two-year term, the ninth member may remain on the board until the term expires if the member's graduation is within one year of the date of the expiration. The terms of three members of the board shall begin and expire in each odd-numbered year as provided in section 69.19.

2. The recognized student government organization at each of the three institutions of higher learning under the control of the board shall submit, at least biennially, to the executive director who shall transfer to the governor a list of at least three names of students eligible to represent the institution on the board. The governor may appoint the ninth member of the board from the lists of names submitted by the recognized student organizations.

Sec. 2. Section 262.6, Code 1995, is amended to read as follows:

262.6 VACANCIES.

Vacancies shall be filled in the same manner ~~in which regular appointments are required to be as original appointments are made and shall be for the remainder of the unexpired term of the vacancy.~~ If the ninth member resigns prior to the expiration of the term, the individual appointed to fill the vacancy shall meet the requirements for the ninth member specified in section sections 262.1 and 262.2. ~~Other vacancies occurring prior to the expiration of the ninth member's term shall be filled in the same manner as the original appointments for those vacancies.~~

Sec. 3. IMPLEMENTATION AND TRANSITION PROVISION. In order to implement this Act and provide for the transition of the reduction in the term of service of the ninth member of the state board of regents, notwithstanding any provision of this Act to the contrary, the term of the ninth member serving on the board on the effective date of this Act shall continue until the term expires on April 30, 1997, and the governor may appoint a ninth member from the lists of names provided to the executive director by the recognized student organization of

each of the institutions of higher learning for the four-year term of the ninth member commencing May 1, 1997.

RON J. CORBETT
Speaker of the House

LEONARD L. BOSWELL
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 387, Seventy-sixth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Vetoed
~~Approved~~ *May 1*, 1995

TERRY E. BRANSTAD
Governor