

H. 1-29-96 State Gov.  
**FILED JAN 23 1996**  
H. 2/14/96 Do Pass

SENATE FILE 2071  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 2042)

Passed Senate, Date 1-24-96 (p.131) Passed House, Date 4-9-96 (p.1478)  
Vote: Ayes 49 Nays 0 Vote: Ayes 97 Nays 0  
Approved 4/18/96

**A BILL FOR**

1 An Act creating an advisory commission on intergovernmental  
2 relations, specifying its membership and its powers and  
3 duties, providing for other properly related matters, and  
4 providing an effective date.

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

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S.F. 2071

1 Section 1. NEW SECTION. 28J.1 FINDINGS AND OBJECTIVES.

2 The general assembly finds that there is a need for an  
3 intergovernmental body to study and report on the following:

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 government systems.

13 6. Special problems in interstate areas facing their  
14 general local governments, interstate regional units, and  
15 areawide bodies.

16 The studies, where possible, shall be conducted in  
17 conjunction with studies of commissions on intergovernmental  
18 relations of other states.

19 Sec. 2. NEW SECTION. 28J.2 COMMISSION CREATED --  
20 MEMBERSHIP.

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23 2. The membership of the commission shall be:

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25 or appointed county officers, four elected or appointed city  
26 officers, four elected or appointed officers of school  
27 corporations, and one member or staff member of a regional  
28 council of governments established under chapter 28H,  
29 appointed by the governor.

30 b. Two state senators appointed by the majority leader of  
31 the senate.

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

34 3. In making all appointments, consideration shall be  
35 given to gender, race, or ethnic representation, population

1 and demographic factors, and representation of different  
2 geographic regions. All appointments shall comply with  
3 sections 69.16 and 69.16A.

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

14 5. The members shall be appointed to two-year staggered  
15 terms and the terms shall commence on February 1 of the year  
16 of appointment. If a vacancy occurs, a successor shall be  
17 appointed to serve the unexpired term. If a member ceases to  
18 be an officer or employee of the governmental unit or agency  
19 which qualifies the person for membership on the commission, a  
20 vacancy exists and a successor shall be appointed in the same  
21 manner and subject to the same qualifications as the original  
22 appointment to serve the unexpired term.

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

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

30 Sec. 3. NEW SECTION. 28J.3 POWERS AND DUTIES.

31 The commission shall:

32 1. Engage in activities and make studies and  
33 investigations as necessary or desirable to accomplish the  
34 purposes specified in section 28J.1.

35 2. Encourage and, where appropriate, coordinate studies

1 relating to intergovernmental relations conducted by  
2 universities, state, local, and federal agencies, and research  
3 and consulting organizations.

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

8 4. Carry out studies and investigations relating to  
9 intergovernmental problems and relations as requested by the  
10 legislative council.

11 Sec. 4. NEW SECTION. 28J.4 ORGANIZATIONS -- MEETINGS.

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

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

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

22 4. All meetings of the commission or a committee  
23 established by the commission at which public business is  
24 discussed or formal action is taken, shall comply with the  
25 requirements of chapter 21.

26 Sec. 5. NEW SECTION. 28J.5 STAFF -- FACILITIES --  
27 EXPENSES.

28 1. The commission and committees established by the  
29 commission may accept technical and operational assistance  
30 from the staff of the legislative service bureau and the  
31 legislative fiscal bureau, other state or federal agencies,  
32 units of local governments, or any other public or private  
33 source. The directors of the legislative service bureau and  
34 the legislative fiscal bureau may assign professional,  
35 technical, legal, clerical, or other staff, as necessary and

1 authorized by the legislative council for continued operation  
2 of the commission. However, the technical and operational  
3 assistance shall be provided within existing appropriations  
4 made to or with existing resources of the legislative service  
5 bureau and legislative fiscal bureau to carry out their powers  
6 and duties.

7 2. The legislative council may also provide available fa-  
8 cilities and equipment as requested by the commission.

9 3. The members of the commission are entitled to reim-  
10 bursement for travel and other necessary expenses incurred in  
11 the performance of official duties. Each member may also be  
12 eligible to receive compensation as provided in section 7E.6.  
13 The expenses shall be paid from funds appropriated pursuant to  
14 section 2.12.

15 Sec. 6. NEW SECTION. 28J.6 REPORTS.

16 The commission shall submit an annual report of its  
17 findings and recommendations to the governor, president of the  
18 senate, speaker of the house, and the majority and minority  
19 leaders of each house, and make the report available to  
20 legislators upon request. The report shall also be made  
21 available to the public.

22 Sec. 7. NEW SECTION. 28J.7 INFORMATION.

23 The commission may request from any state agency or  
24 official the information and assistance as needed to perform  
25 the duties of the commission. A state agency or official  
26 shall furnish the information or assistance requested within  
27 the authority and resources of the state agency or official.  
28 This section does not require the production or opening of any  
29 public record which is required by law to be kept  
30 confidential.

31 Sec. 8. NEW SECTION. 28J.8 FUTURE REPEAL.

32 This chapter is repealed effective July 1, 2002.

33 EXPLANATION

34 This bill creates an Iowa advisory commission on  
35 intergovernmental relations (ACIR). The new ACIR has the same

1 membership and powers and duties as the Iowa ACIR had under  
2 the statute which was repealed on July 1, 1995.

3 The Iowa advisory commission on intergovernmental relations  
4 has a membership of 21 persons. The members are selected as  
5 follows: four elected or appointed state officers; four  
6 elected or appointed city officers; four elected or appointed  
7 county officers; four elected or appointed officers of school  
8 corporations; and one representative of a regional council of  
9 governments established under chapter 28H, all appointed by  
10 the governor. In addition, two state senators shall be  
11 appointed by the majority leader of the senate and two state  
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13 representatives. Members representing the general assembly  
14 and the counties are to be divided equally between the  
15 political parties. All appointees are to be chosen giving  
16 consideration to population, gender, race, demography, and  
17 geography of the state. The commission is charged with the  
18 study of patterns, powers, and functions of local governments,  
19 existing and desirable relationships between local governments  
20 and the state, necessary and desirable allocation of fiscal  
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22 interstate governments, and necessary and desirable roles of  
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24 A sunset or repealer provision effective July 1, 2002, is  
25 included.

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**SENATE FILE 2071  
FISCAL NOTE**

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A fiscal note for **Senate File 2071** is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Senate File 2071 creates an Advisory Commission on Intergovernmental Relations. This is similar to the Commission repealed July 1, 1995. The Commission has 21 members and the Bill specifies the duties of the Commission. The Commission would be repealed July 1, 2002.

**ASSUMPTIONS:**

1. Legislative staff and various State agencies will work with and provide services and information to the Advisory Commission on Intergovernmental Relations within existing appropriations or resources, as required by the Bill.
2. The Commission will meet quarterly.
3. The members of the Commission will receive travel and expenses for attendance at the quarterly meetings.

**FISCAL IMPACT:**

The travel and expenses will require less than \$5,000 annually for the members of the Advisory Commission on Intergovernmental Relations.

Sources: Legislative Service Bureau  
Senate Finance  
Department of Management

(LSB 3260sv, SLL)

FILED FEBRUARY 6, 1996

BY DENNIS PROUTY, FISCAL DIRECTOR

Sorensen  
Ritter  
Fink

SSB-2042  
State Government

SENATE/HOUSE FILE 2071  
BY (PROPOSED IOWA ADVISORY COM-  
MISSION ON INTERGOVERNMENTAL  
RELATIONS BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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SENATE FILE 2071

AN ACT

CREATING AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS,  
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ING FOR OTHER PROPERLY RELATED MATTERS, AND PROVIDING AN  
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This chapter is repealed effective July 1, 2002.

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LEONARD L. BOSWELL  
President of the Senate

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RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2071, Seventy-sixth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate

Approved 4/18, 1996

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TERRY E. BRANSTAD  
Governor

SF 2071