

# Senate Study Bill 1296

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
HUMAN RIGHTS BILL)

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

## A BILL FOR

1 An Act establishing an Iowa Abraham Lincoln bicentennial  
2 commission and fund and providing for its prospective repeal.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 1002DP 82  
5 ec/je/5

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1 1 Section 1. NEW SECTION. 216A.121 IOWA ABRAHAM LINCOLN  
1 2 BICENTENNIAL COMMISSION.  
1 3 1. ORGANIZATION. An Iowa Abraham Lincoln bicentennial  
1 4 commission is established in the department of human rights.  
1 5 The commission shall be chartered and shall operate as a  
1 6 nonprofit corporation within the state of Iowa, according to  
1 7 the provisions of chapter 504.  
1 8 2. PURPOSE. The purpose of the commission shall be to  
1 9 plan, coordinate, and administer activities and programs  
1 10 relating to the commemoration of the bicentennial of the birth  
1 11 of Abraham Lincoln in 2009.  
1 12 3. MEMBERSHIP. a. The commission shall consist of  
1 13 twenty-one members, including seventeen voting members and  
1 14 four nonvoting members.  
1 15 (1) The voting members shall be as follows:  
1 16 (a) The governor or the governor's designee.  
1 17 (b) One member, appointed by the governor, who is an Iowa  
1 18 designated representative to the federal Abraham Lincoln  
1 19 bicentennial commission governors' council.  
1 20 (c) One member appointed by the president of Humanities  
1 21 Iowa.  
1 22 (d) One member appointed by the director of the department  
1 23 of economic development.  
1 24 (e) One member appointed by the administrator of the state  
1 25 historical society of Iowa.  
1 26 (f) One member appointed by the executive director of the  
1 27 Iowa arts council.  
1 28 (g) One member appointed by the executive director of the  
1 29 Iowa museum society.  
1 30 (h) One member appointed by the president of the league of  
1 31 Iowa human rights agencies.  
1 32 (i) One member appointed by the president of the Iowa  
1 33 league of cities.  
1 34 (j) One member appointed by the director of the department  
1 35 of education.  
2 1 (k) One member appointed by the chairperson of the state  
2 2 board of regents.  
2 3 (l) One member appointed by the president of the Iowa  
2 4 library board.  
2 5 (m) One member appointed by the chairperson of the Iowa  
2 6 state chapter of the national association for the advancement  
2 7 of colored people.  
2 8 (n) Four public members, appointed by the governor, with a  
2 9 demonstrated interest in history and substantial knowledge and  
2 10 appreciation of Abraham Lincoln.  
2 11 (2) The nonvoting members shall be two state  
2 12 representatives, one appointed by the speaker of the house of  
2 13 representatives and one by the minority leader of the house,  
2 14 and two state senators, one appointed by the majority leader  
2 15 of the senate and one by the minority leader of the senate.  
2 16 b. Nine voting members of the board shall constitute a  
2 17 quorum. Persons making appointments shall consult with one  
2 18 another to ensure that the commission is balanced by gender,  
2 19 political affiliation, and geographic location, and to ensure

2 20 selection of members representing diverse interest groups.  
2 21 The provisions of chapters 21 and 22 shall apply to meetings  
2 22 and records of the commission.

2 23 c. The commission shall elect a chairperson and vice  
2 24 chairperson from the members of the commission. Commission  
2 25 members shall serve without compensation, but shall be  
2 26 reimbursed for actual and necessary expenses.

2 27 4. RULEMAKING AUTHORITY. The department, in cooperation  
2 28 with the commission, may adopt rules in accordance with  
2 29 chapter 17A in order to accomplish the purpose of the  
2 30 commission.

2 31 5. AUTHORITY. The commission may receive and make grants,  
2 32 receive and expend appropriations, contract for services, hold  
2 33 licenses and copyrights, and otherwise act as is necessary to  
2 34 accomplish the purpose of the commission.

2 35 6. FUND ESTABLISHED. The Abraham Lincoln bicentennial  
3 1 fund is established as a separate fund in the state treasury  
3 2 under the control of the commission.

3 3 7. FUNDS RECEIVED. All funds received by the commission,  
3 4 including but not limited to gifts, transfers, endowments,  
3 5 moneys from the sale of mementos and products related to the  
3 6 purposes of the commission, and appropriations, shall be  
3 7 credited to the bicentennial fund and are appropriated to the  
3 8 commission to be invested or used to support the activities of  
3 9 the commission. Notwithstanding section 8.33, any balance in  
3 10 the fund on June 30 of any fiscal year shall not revert to the  
3 11 general fund of the state.

3 12 8. EXPIRATION. The commission shall expire no later than  
3 13 June 30, 2010. Upon expiration, all fund balances from  
3 14 appropriations of state funds shall be returned to the general  
3 15 fund of the state, and all other assets shall be transferred  
3 16 to the Iowa historical foundation authorized pursuant to  
3 17 section 303.9, subsection 3, subject to any conditions or  
3 18 restrictions previously placed on the assets.

3 19 9. This section is repealed June 30, 2010.

3 20 EXPLANATION

3 21 This bill establishes an Iowa Abraham Lincoln bicentennial  
3 22 commission in the department of human rights. The commission  
3 23 shall be chartered and shall operate as a nonprofit  
3 24 corporation within the state of Iowa. The purpose of the  
3 25 commission is to plan, coordinate, and administer activities  
3 26 and programs relating to the commemoration of the bicentennial  
3 27 of the birth of Abraham Lincoln in 2009.

3 28 The bill provides that the commission consist of 17 voting  
3 29 members and four nonvoting legislative members appointed by  
3 30 legislative leaders. The 17 voting members shall consist of  
3 31 the governor or governor's designee, four public members  
3 32 appointed by the governor, and twelve additional members  
3 33 appointed by various state and nonprofit entities. The bill  
3 34 grants authority to the commission to receive and expend funds  
3 35 and grants authority to the department of human rights, in  
4 1 cooperation with the commission, to adopt rules. The bill  
4 2 establishes an Abraham Lincoln bicentennial fund under the  
4 3 control of the commission. The bill provides that the  
4 4 commission expires no later than June 30, 2010, and all fund  
4 5 balances from state appropriations shall be returned to the  
4 6 general fund of the state and all other assets shall be  
4 7 transferred to the Iowa historical foundation.

4 8 The bill also provides for its repeal on June 30, 2010.

4 9 LSB 1002DP 82

4 10 ec:rj/je/5