

Senate Study Bill 1163 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON DANIELSON)

A BILL FOR

1 An Act relating to the activities and duties of the state board
2 of regents and the board's administrative office.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 262.1, Code 2013, is amended to read as
2 follows:

3 **262.1 Membership.**

4 The state board of regents consists of nine members, ~~eight~~
5 seven of whom shall be selected from the state at large solely
6 with regard to their qualifications and fitness to discharge
7 the duties of the office. The eighth member shall be selected
8 by the faculty of the institutions of higher learning governed
9 by the board, and the ninth member shall be a student enrolled
10 on a full-time basis in good standing at either the graduate
11 or undergraduate level at one of the institutions listed in
12 section 262.7, subsection 1, 2, or 3, at the time of the
13 member's appointment. Not more than five members shall be of
14 the same political party.

15 Sec. 2. Section 262.2, Code 2013, is amended to read as
16 follows:

17 **262.2 Appointment — term of office.**

18 The members, except for the eighth member who is selected as
19 specified in section 262.1, shall be appointed by the governor
20 subject to confirmation by the senate. Prior to appointing the
21 ninth member as specified in section 262.1, the governor shall
22 consult with the appropriate student body government at the
23 institution at which the proposed appointee is enrolled. The
24 term of each member of the board shall be for six years, unless
25 the ninth member, appointed in accordance with section 262.1,
26 graduates or is no longer enrolled at an institution of higher
27 education under the board's control, at which time the term of
28 the ninth member shall expire one year from the date on which
29 the member graduates or is no longer enrolled in an institution
30 of higher education under the board's control. However, if
31 within that year the ninth member reenrolls in any institution
32 of higher education under the board's control on a full-time
33 basis and is a student in good standing at either the graduate
34 or undergraduate level, the term of the ninth member shall
35 continue in effect. The terms of three members of the board

1 shall begin and expire in each odd-numbered year as provided
2 in section 69.19.

3 Sec. 3. NEW SECTION. **262.3 Board and board office —**
4 **prohibited activities.**

5 1. A member of the state board of regents, the executive
6 director of the board, and professional staff employed for
7 the administration of the board's office shall not have any
8 business or financial relationship with any person employed by
9 an institution governed by the board.

10 2. A member of the state board of regents, while holding
11 office, the executive director of the board, and a member of
12 the professional staff employed for the administration of the
13 board's office shall not be a member of a political committee,
14 participate in partisan political activities, be a candidate
15 for a partisan elective office, or be identified as an
16 advocate or opponent of issues subject to debate by the general
17 assembly, except as otherwise provided by law, and shall not
18 contribute to a political campaign fund, except that a member
19 of the board, the executive director, or a member of the
20 professional staff may designate on the checkoff portion of the
21 state or federal income tax return, or both, a party or parties
22 to which a contribution is made pursuant to the checkoff.

23 3. A person who registers as a lobbyist pursuant to section
24 68B.36 on behalf of a person who is a member of the state
25 board of regents or on behalf of that member's business or
26 employer shall not, within two years after the termination of
27 such service or employment as a lobbyist, become a lobbyist,
28 state relations officer, or governmental liaison for any
29 office, program, or department of an institution governed or
30 administered by the board.

31 Sec. 4. Section 262.6, Code 2013, is amended to read as
32 follows:

33 **262.6 Vacancies.**

34 Vacancies shall be filled in the same manner in which regular
35 appointments are required to be made. ~~If the ninth member~~

~~1 resigns prior to the expiration of the term, the individual
2 appointed to fill the vacancy shall meet the requirements for
3 the ninth member specified in section 262.1. Other vacancies
4 occurring prior to the expiration of the ninth member's term
5 shall be filled in the same manner as the original appointments
6 for those vacancies.~~

7 Sec. 5. Section 262.8, Code 2013, is amended to read as
8 follows:

9 **262.8 Meetings — public forums — public readings.**

10 1. The board shall meet four times a year. Special meetings
11 may be called by the board, by the president of the board, or
12 by the executive director of the board upon written request of
13 any five members thereof.

14 2. Each regular meeting of the state board of regents
15 shall begin with at least thirty minutes for public comment if
16 requested by members of the public. A member of the public
17 shall be granted up to five minutes to make comments and may be
18 granted more time by a member of the board.

19 3. At least two members of the state board of regents
20 shall hold public forums at which issues relating to the
21 activities of the board and the institutions the board governs
22 can be discussed and addressed. The forums shall provide
23 the community with opportunities to pose questions, receive
24 answers, and make comments. The board shall divide the
25 state into at least six geographic regions, including but
26 not limited to northwest, southwest, north central, south
27 central, northeast, and southeast Iowa, and shall hold a forum
28 in accordance with this subsection in each region at least
29 quarterly. Notice of a forum shall be prominently posted on
30 the board's internet site at least two weeks prior to the date
31 of the forum.

32 4. The board shall hold public readings of a proposal at two
33 regular meetings of the board before the board takes action on
34 a proposal before the board if the proposal affects an academic
35 program at an institution governed by the board, or if the

1 estimated cost of the proposal is one hundred thousand dollars
2 or more. A quorum of the board must be physically present at
3 any board meeting that includes a public reading required by
4 this subsection. The affirmative vote of a majority of the
5 membership of the board is necessary for any action to be taken
6 by the board on a proposal subject to this subsection.

7 Sec. 6. Section 262.9C, subsections 2 and 5, Code 2013, are
8 amended to read as follows:

9 2. The target span of control aggregate ratio of supervisory
10 employees to other employees shall be one to ~~fifteen~~ fourteen.
11 The target span of control ratio shall not apply to employees
12 involved with direct patient care, faculty, and employees in
13 other areas of the institutions that must maintain different
14 span of control ratios due to federal or state regulations.

15 5. The state board of regents shall present an interim
16 report to the governor and general assembly on or before April
17 1, 2010, ~~with~~ and annual updates thereafter, detailing the
18 effects of the policy on the composition of the workforce, cost
19 savings, efficiencies, and outcomes. In addition, the report
20 and annual updates shall identify those departments within each
21 institution ~~under the control of~~ governed by the board granted
22 an exception by the board to the policy as provided in this
23 section.

24 Sec. 7. Section 262.12, Code 2013, is amended to read as
25 follows:

26 **262.12 Committees and administrative offices under board.**

27 1. The board of regents shall also have and exercise
28 all the powers necessary and convenient for the effective
29 administration of its office and of the institutions under
30 its control, and to this end may create such committees,
31 offices and agencies from its own members or others, and employ
32 persons to staff the same, fix their compensation and tenure
33 and delegate thereto, or to the administrative officers and
34 faculty of the institutions under its control, such part of the
35 authority and duties vested by statute in the board, and shall

1 formulate and establish such rules, outline such policies and
2 prescribe such procedures therefor, all as may be desired or
3 determined by the board as recorded in their minutes.

4 2. The board of regents shall publish on its internet
5 site specific criteria, including qualification requirements
6 and preferences, for electing a president of any institution
7 of higher learning governed by the board pursuant to section
8 262.9, subsection 2.

9

EXPLANATION

10 This bill relates to activities and duties of the state
11 board of regents, the executive director of the board, and
12 the professional staff employed for the administration of the
13 board's office.

14 Currently, the board consists of nine members appointed
15 by the governor, eight of whom are selected from the state
16 at large, and the ninth is a student enrolled at a regents
17 university. The bill provides that the eighth member shall be
18 selected by the faculty of the regents universities.

19 The bill provides that the board and its executive director
20 and professional staff in the board's office are prohibited
21 from having any business or financial relationship with any
22 person employed by an institution governed by the board. The
23 bill also restricts a member of the board and the board's
24 professional staff from participating in political activities
25 or be identified as an advocate or opponent of issues subject
26 to debate by the general assembly, except the member or staff
27 may designate an income tax checkoff.

28 If a proposal before the board affects an institution's
29 academic program or if its estimated cost is \$100,000 or
30 more, the bill requires that the board hold public readings
31 of the proposal at two regular meetings of the board before
32 taking action on the proposal. A quorum of the board must be
33 physically present at these meetings, and the proposal must
34 receive the affirmative vote of a majority of the membership
35 for any action to be taken on the proposal.

1 At least two members of the board shall hold public forums in
2 each of at least six geographic regions of the state quarterly.
3 Notice of a forum must be prominently posted on the board's
4 internet site at least two weeks prior to the date of the
5 forum.

6 Each regular board meeting shall begin with at least 30
7 minutes for public comment if requested by members of the
8 public. A member of the public shall be granted up to five
9 minutes to make comments and may be granted more time by a
10 member of the board.

11 A person who registers as a lobbyist on behalf of a person
12 who is a member of the board or on behalf of that member's
13 business or employer shall not within two years after the
14 termination of such service or employment as a lobbyist become
15 a lobbyist, state relations officer, or governmental liaison
16 for any office, program, or department of an institution
17 governed or administered by the board.

18 The bill reduces the target span of control aggregate ratio
19 of supervisory employees to other employees at the institutions
20 governed by the board from 1 to 15 to 1 to 14.

21 The board must publish on its internet site specific
22 criteria for electing a president of a regents university.

23 The bill includes conforming changes.