A BILL FOR

1 An Act creating a citizen trade policy council, establishing
2 powers and duties for the council, creating a citizen trade
3 policy council fund, and making an appropriation.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. NEW SECTION. 15K.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. "Authority" means the economic development authority created in section 15.105.
3. "Fund" means the citizen trade policy council fund created in section 15K.5.
4. "Trade agreement" means an agreement reached between the United States and any other country, countries, or other international political entity or entities that proposes to regulate trade among the parties to the agreement. "Trade agreement" includes but is not limited to any agreement under the auspices of the world trade organization, a multilateral or regional free trade agreement, a bilateral trade agreement entered into by the United States, and a request for a binding agreement received by the state from the office of the United States trade representative.

Sec. 2. NEW SECTION. 15K.2 Citizen trade policy council.

A citizen trade policy council is created to assess and monitor the legal and economic impacts of trade agreements on state laws and local ordinances, working conditions, and the business environment, and to provide a mechanism for citizens and members of the general assembly to voice their concerns and recommendations relating to the council's powers and duties.

The council may make recommendations designed to protect Iowa's laws, jobs, natural resources, communities, and economy from any negative impact of trade agreements or to enhance the benefits of such trade agreements.

Sec. 3. NEW SECTION. 15K.3 Membership — terms — vacancies — limits.

1. The council shall consist of nineteen voting members and nine ex officio, nonvoting members. The voting members shall be as follows:
a. Ten public members, appointed by the governor, subject to
confirmation by the senate, including:

(1) A person who operates a small business.
(2) A person who operates a small farm.
(3) A representative of a nonprofit organization that
promotes fair trade policies.
(4) A representative of an Iowa-based corporation that is
active in international trade.
(5) A health care professional.
(6) A representative of an Iowa-based manufacturing
business with twenty-five or more employees.
(7) A representative of an economic development
organization.
(8) A person who is active in organized labor.
(9) A member of a nonprofit human rights organization.
(10) A member of a nonprofit environmental organization.

b. Two public members appointed by the speaker of the house
of representatives.

c. Two public members appointed by the minority leader of
the house of representatives.

d. Two public members appointed by the majority leader of
the senate.

e. Two public members appointed by the minority leader of
the senate.

f. The attorney general or the attorney general’s designee.

2. The ex officio, nonvoting members shall be the following:

a. The director of the authority, or the director’s
designee.

b. The director of the department of workforce development,
or the director’s designee.

c. The director of the department of natural resources, or
the director’s designee.

d. The secretary of agriculture, or the secretary’s
designee.

e. The director of human services, or the director’s
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1 designee.
2  f. Four members of the general assembly, one of whom shall
3 be appointed by the speaker of the house of representatives,
4 one of whom shall be appointed by the minority leader of the
5 house of representatives, one of whom shall be appointed by
6 the majority leader of the senate, and one of whom shall be
7 appointed by the minority leader of the senate.
8  3. The governor, the majority leader of the senate, and the
9 speaker of the house of representatives shall each designate
10 one of the public members appointed by them to the council to
11 jointly serve as co-chairpersons. The council may appoint
12 other officers and committees as necessary.
13  4. In appointing members of the public, the appointing
14 authorities shall make every effort to appoint representatives
15 of generally recognized and organized constituencies of
16 interest groups. In appointing members of the public, the
17 governor, the majority and minority leaders of the senate, and
18 the speaker and minority leader of the house of representatives
19 shall comply with sections 69.16 and 69.16A.
20  5. For the purposes of convening a meeting, eleven
21 voting members shall constitute a quorum, but for any other
22 purpose a majority of the voting members of the council shall
23 constitute a quorum, and a majority of a quorum may act in any
24 matter within the jurisdiction of the council, unless a more
25 restrictive rule is adopted by the council.
26  6. Except for ex officio, nonvoting members and the
27 attorney general who shall serve terms coincident with their
28 elective or appointed office, all other voting members shall be
29 appointed for three-year staggered terms. A vacancy shall be
30 filled by the same appointing authority that made the original
31 appointment. Appointed members shall not serve more than two
32 terms, however, members may continue to serve until their
33 successors are appointed.
34  7. An ex officio member of the council who is a member
35 of the general assembly shall be paid the per diem specified
1 in section 2.10, subsection 5, for each day in attendance
2 and shall be reimbursed for actual and necessary expenses.
3 Public members shall serve without compensation, but shall be
4 reimbursed for all actual and necessary expenses they incur
5 through service on the board.
6 8. The general assembly, through the legislative council,
7 shall contract for staff support for the citizen trade
8 policy council, which, to the extent funding permits, must be
9 full-time staff support. In the event funding does not permit
10 adequate staff support, the citizen trade policy council may
11 request staff support from the legislative services agency and
12 the authority.
13 9. Commencing with the fiscal year beginning July 1, 2017,
14 and every second fiscal year thereafter, there is appropriated
15 from the general fund of the state to the council ten thousand
16 dollars for the production of reports required under section
17 15K.4.
18 Sec. 4. NEW SECTION. 15K.4 Powers and duties.
19 1. The council shall do all of the following:
20 a. Meet at least twice annually.
21 b. Hear public testimony and recommendations from the
22 citizens of the state and qualified experts when appropriate
23 at no fewer than two locations throughout the state each year
24 on the actual and potential social, environmental, economic,
25 legal, and other impacts of international trade agreements and
26 negotiations on the state.
27 c. Every two years conduct an assessment of the impacts of
28 international trade agreements on Iowa’s state laws, political
29 subdivision ordinances, working conditions, and economic,
30 environmental, and natural resources.
31 d. Maintain active communications with and submit an annual
32 report to the governor, the general assembly, the attorney
33 general, members of Iowa’s congressional delegation, the Iowa
34 state association of counties, the Iowa league of cities, the
35 United States trade representative’s office, the national
conference of state legislatures, and the national association of attorneys general or the successor organization of any of these groups. The council shall make the report easily accessible to the public on the general assembly's internet site. The report must contain information acquired pursuant to council activities under paragraph "b" and may contain information acquired pursuant to activities under paragraph "c".

e. Review and analyze trade agreements, and submit reports as required pursuant to section 15K.6.

f. By December 31, 2022, the council shall conduct an evaluation of its activities and recommend to the general assembly whether to continue, alter, or cease the council's activities.

2. The council may do all of the following:

a. Maintain active communications with any entity the council determines appropriate regarding ongoing developments in international trade agreements and policy.

b. Recommend or submit legislation to the general assembly.

c. Recommend that the state support, or withhold its support from, proposed trade negotiations or agreements.

d. Examine any aspects of international trade, international economic integration, and trade agreements that the members of the council consider appropriate.

Sec. 5. NEW SECTION. 15K.5 Citizen trade policy council fund.

1. A citizen trade policy council fund is created in the office of the treasurer of state under the control of the council for the purpose of receiving moneys appropriated by the general assembly and any other moneys available to the council under subsection 2. The moneys in the fund are appropriated to the council for the purposes of the council. Moneys in the fund shall not be subject to appropriation for any other purpose by the general assembly, but shall be used only for the purposes of the council. The treasurer of state shall
1 act as custodian of the fund and disburse moneys contained in
2 the fund as directed by the council. The council shall make
3 expenditures from the fund consistent with the purposes of the
4 council.
5 2. The council may solicit and accept other moneys to
6 fulfill its duties and deposit the moneys in the fund. The
7 council shall annually notify the legislative council of any
8 solicitation and acceptance of moneys under this subsection.
9 All moneys accepted under this subsection shall be forwarded to
10 the treasurer of state, along with an accounting that includes
11 the amount received, the date that amount was received, from
12 whom that amount was received, the purpose of the donation, and
13 any limitation on use of the moneys.
14 3. At the beginning of each fiscal year, and at any other
15 time at the request of co-chairpersons of the council, the
16 treasurer of state shall provide to the council an accounting
17 of all moneys available to the council, including moneys
18 available for staff support.
19 4. Moneys in the fund are not subject to section 8.33.
20 Notwithstanding section 12C.7, subsection 2, interest or
21 earnings on moneys in the fund shall be credited to the fund.
22 Sec. 6. NEW SECTION. 15K.6 Trade agreements.
23 1. If the United States government provides the state with
24 the opportunity to consent to or to reject binding the state
25 to a trade agreement, or a designated provision within a trade
26 agreement, an official of the state, including but not limited
27 to the governor, shall not give consent to the United States
28 government to bind the state to the trade agreement, except as
29 provided in this section.
30 2. When a communication from the United States trade
31 representative concerning a trade agreement is received by the
32 state, the governor shall transmit a copy of the communication
33 and the trade agreement, or relevant provisions of the trade
34 agreement, to the co-chairpersons of the council, the president
35 of the senate, the speaker of the house of representatives, and
the chairpersons and ranking members of the general assembly's standing committees on economic growth.

3. The council, in consultation with the authority, the attorney general, and the faculty of the international and comparative law program at the college of law at the university of Iowa, shall, immediately upon receipt, review and analyze a trade agreement and submit a report to the general assembly and the governor on the potential impact on the state of consenting to be bound by the trade agreement. The council shall make a recommendation to the general assembly regarding whether to consent to or reject binding the state to the agreement.

4. An official of the state, including but not limited to the governor, shall not consent to bind the state to the terms or provisions of a trade agreement unless the general assembly has passed a joint resolution authorizing the governor or other official to give consent to bind the state to the trade agreement or to a provision designated by the United States government within the trade agreement.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill creates a citizen trade policy council (council), establishes powers and duties for the council, creates a citizen trade policy council fund (fund), and makes an appropriation.

The bill creates the council, consisting of 19 voting members and nine ex officio, nonvoting members, to assess and monitor the legal and economic impacts of trade agreements on state laws and local ordinances, working conditions, and the state's natural resources, communities, and economy, and to provide a mechanism for citizens and members of the general assembly to voice their concerns and recommendations. The council is required to consist of 10 public members appointed by the governor, eight public members appointed by legislative leaders, and the attorney general. The nine ex officio,
nonvoting members are required to include the director of the
economic development authority, the director of the department
of workforce development, the director of the department of
natural resources, the secretary of agriculture, and the
director of human services, or their respective designees,
along with four members of the general assembly. The bill
makes provisions for what constitutes a quorum of the council
and the compensation and terms of members.

Under the bill, the governor, the majority leader of the
senate, and the speaker of the house of representatives
are each required to designate one of the public members to
jointly serve as co-chairpersons. The bill allows the council
to appoint other officers and committees as necessary and
requires that the general assembly, through the legislative
council, contract for staff support for the council. The
support is required to be full-time if funding permits, but if
funding does not permit adequate staff support, the council
is permitted to request staff support from the legislative
services agency and the economic development authority. The
bill provides the council with a standing appropriation
of $10,000, every other fiscal year, for the production of
reports.

Under the bill, the council is required to meet at least
twice annually and hear public testimony and recommendations
at no fewer than two locations throughout the state each year.
The council is also required to conduct an assessment of the
impacts of international trade agreements on Iowa's state
laws, political subdivision ordinances, working conditions,
and economic, environmental, and natural resources once every
two years. The bill requires the council to submit annual
reports to the governor, the general assembly, the attorney
general, members of Iowa's congressional delegation, the Iowa
state association of counties, the Iowa league of cities, the
United States trade representative's office, the national
conference of state legislatures, and the national association
of attorneys general. The bill also requires the council to
conduct an evaluation of its activities and recommend to the
general assembly, by December 31, 2022, whether to continue,
alter, or cease the council's activities.
The bill also allows the council to maintain active
communications with any entity the council determines
appropriate, recommend or submit legislation to the general
assembly, recommend that the state support, or withhold its
support from, future trade negotiations or agreements, and
to examine any aspects of international trade, international
economic integration, and trade agreements that the members of
the council consider appropriate.
The bill creates a fund in the office of the treasurer
of state under the control of the council to receive moneys
appropriated by the general assembly and from any other
source. Under the bill, moneys in the fund are appropriated
to the council and the treasurer of state is required to act
as custodian of the fund and disburse moneys contained in the
fund as directed by the council. The council is required to
annually notify the legislative council of any solicitation or
acceptance of moneys from outside sources. Moneys in the fund
are not subject to reversion under Code section 8.33 and any
interest or earnings on moneys in the fund are required to be
credited to the fund.
The bill provides that an official of the state, including
the governor, is not able to give consent to bind the state
to the terms or provisions of a trade agreement unless the
general assembly has passed a joint resolution authorizing the
governor or other official of the state to bind the state to
the trade agreement or to a designated provision within the
trade agreement.
Under the bill, the governor is required to transmit a
copy of a trade agreement, or relevant provisions of a trade
agreement, to the co-chairpersons of the council, the president
of the senate, the speaker of the house of representatives, and
The bill requires that the council, in consultation with the authority, the attorney general, and the faculty of the international and comparative law program at the college of law at the university of Iowa, immediately review, analyze, and submit a report on such a trade agreement. The bill requires the council to submit the report to the general assembly and the governor. The council is also required to make recommendations to the general assembly.