

**House File 2466 - Introduced**

HOUSE FILE 2466

BY ISENHART

**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:

1 Section 1. NEW SECTION. 15K.1 Definitions.

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

4 1. "*Authority*" means the economic development authority  
5 created in section 15.105.

6 2. "*Council*" means the citizen trade policy council created  
7 in section 15K.2.

8 3. "*Fund*" means the citizen trade policy council fund  
9 created in section 15K.5.

10 4. "*Trade agreement*" means an agreement reached between  
11 the United States and any other country, countries, or other  
12 international political entity or entities that proposes to  
13 regulate trade among the parties to the agreement. "*Trade*  
14 *agreement*" includes but is not limited to any agreement under  
15 the auspices of the world trade organization, a multilateral  
16 or regional free trade agreement, a bilateral trade agreement  
17 entered into by the United States, and a request for a binding  
18 agreement received by the state from the office of the United  
19 States trade representative.

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

21 A citizen trade policy council is created to assess and  
22 monitor the legal and economic impacts of trade agreements on  
23 state laws and local ordinances, working conditions, and the  
24 business environment, and to provide a mechanism for citizens  
25 and members of the general assembly to voice their concerns and  
26 recommendations relating to the council's powers and duties.  
27 The council may make recommendations designed to protect Iowa's  
28 laws, jobs, natural resources, communities, and economy from  
29 any negative impact of trade agreements or to enhance the  
30 benefits of such trade agreements.

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

33 1. The council shall consist of nineteen voting members and  
34 nine ex officio, nonvoting members. The voting members shall  
35 be as follows:

- 1     *a.* Ten public members, appointed by the governor, subject to  
2 confirmation by the senate, including:
- 3       (1) A person who operates a small business.  
4       (2) A person who operates a small farm.  
5       (3) A representative of a nonprofit organization that  
6 promotes fair trade policies.  
7       (4) A representative of an Iowa-based corporation that is  
8 active in international trade.  
9       (5) A health care professional.  
10      (6) A representative of an Iowa-based manufacturing  
11 business with twenty-five or more employees.  
12      (7) A representative of an economic development  
13 organization.  
14      (8) A person who is active in organized labor.  
15      (9) A member of a nonprofit human rights organization.  
16      (10) A member of a nonprofit environmental organization.  
17     *b.* Two public members appointed by the speaker of the house  
18 of representatives.  
19     *c.* Two public members appointed by the minority leader of  
20 the house of representatives.  
21     *d.* Two public members appointed by the majority leader of  
22 the senate.  
23     *e.* Two public members appointed by the minority leader of  
24 the senate.  
25     *f.* The attorney general or the attorney general's designee.  
26     2. The ex officio, nonvoting members shall be the following:  
27     *a.* The director of the authority, or the director's  
28 designee.  
29     *b.* The director of the department of workforce development,  
30 or the director's designee.  
31     *c.* The director of the department of natural resources, or  
32 the director's designee.  
33     *d.* The secretary of agriculture, or the secretary's  
34 designee.  
35     *e.* The director of human services, or the director's

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

1 conference of state legislatures, and the national association  
2 of attorneys general or the successor organization of any  
3 of these groups. The council shall make the report easily  
4 accessible to the public on the general assembly's internet  
5 site. The report must contain information acquired pursuant  
6 to council activities under paragraph "b" and may contain  
7 information acquired pursuant to activities under paragraph  
8 "c".

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

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

15 2. The council may do all of the following:

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

19 b. Recommend or submit legislation to the general assembly.

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

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

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

27 1. A citizen trade policy council fund is created in the  
28 office of the treasurer of state under the control of the  
29 council for the purpose of receiving moneys appropriated by the  
30 general assembly and any other moneys available to the council  
31 under subsection 2. The moneys in the fund are appropriated  
32 to the council for the purposes of the council. Moneys in  
33 the fund shall not be subject to appropriation for any other  
34 purpose by the general assembly, but shall be used only for  
35 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

1 the chairpersons and ranking members of the general assembly's  
2 standing committees on economic growth.

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

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

19 EXPLANATION

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

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

26 The bill creates the council, consisting of 19 voting  
27 members and nine ex officio, nonvoting members, to assess and  
28 monitor the legal and economic impacts of trade agreements on  
29 state laws and local ordinances, working conditions, and the  
30 state's natural resources, communities, and economy, and to  
31 provide a mechanism for citizens and members of the general  
32 assembly to voice their concerns and recommendations. The  
33 council is required to consist of 10 public members appointed  
34 by the governor, eight public members appointed by legislative  
35 leaders, and the attorney general. The nine ex officio,



1 nonvoting members are required to include the director of the  
2 economic development authority, the director of the department  
3 of workforce development, the director of the department of  
4 natural resources, the secretary of agriculture, and the  
5 director of human services, or their respective designees,  
6 along with four members of the general assembly. The bill  
7 makes provisions for what constitutes a quorum of the council  
8 and the compensation and terms of members.

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

23 Under the bill, the council is required to meet at least  
24 twice annually and hear public testimony and recommendations  
25 at no fewer than two locations throughout the state each year.  
26 The council is also required to conduct an assessment of the  
27 impacts of international trade agreements on Iowa's state  
28 laws, political subdivision ordinances, working conditions,  
29 and economic, environmental, and natural resources once every  
30 two years. The bill requires the council to submit annual  
31 reports to the governor, the general assembly, the attorney  
32 general, members of Iowa's congressional delegation, the Iowa  
33 state association of counties, the Iowa league of cities, the  
34 United States trade representative's office, the national  
35 conference of state legislatures, and the national association

1 of attorneys general. The bill also requires the council to  
2 conduct an evaluation of its activities and recommend to the  
3 general assembly, by December 31, 2022, whether to continue,  
4 alter, or cease the council's activities.

5 The bill also allows the council to maintain active  
6 communications with any entity the council determines  
7 appropriate, recommend or submit legislation to the general  
8 assembly, recommend that the state support, or withhold its  
9 support from, future trade negotiations or agreements, and  
10 to examine any aspects of international trade, international  
11 economic integration, and trade agreements that the members of  
12 the council consider appropriate.

13 The bill creates a fund in the office of the treasurer  
14 of state under the control of the council to receive moneys  
15 appropriated by the general assembly and from any other  
16 source. Under the bill, moneys in the fund are appropriated  
17 to the council and the treasurer of state is required to act  
18 as custodian of the fund and disburse moneys contained in the  
19 fund as directed by the council. The council is required to  
20 annually notify the legislative council of any solicitation or  
21 acceptance of moneys from outside sources. Moneys in the fund  
22 are not subject to reversion under Code section 8.33 and any  
23 interest or earnings on moneys in the fund are required to be  
24 credited to the fund.

25 The bill provides that an official of the state, including  
26 the governor, is not able to give consent to bind the state  
27 to the terms or provisions of a trade agreement unless the  
28 general assembly has passed a joint resolution authorizing the  
29 governor or other official of the state to bind the state to  
30 the trade agreement or to a designated provision within the  
31 trade agreement.

32 Under the bill, the governor is required to transmit a  
33 copy of a trade agreement, or relevant provisions of a trade  
34 agreement, to the co-chairpersons of the council, the president  
35 of the senate, the speaker of the house of representatives, and

1 the chairpersons and ranking members of the general assembly's  
2 standing committees on economic growth.

3 The bill requires that the council, in consultation with  
4 the authority, the attorney general, and the faculty of the  
5 international and comparative law program at the college of  
6 law at the university of Iowa, immediately review, analyze,  
7 and submit a report on such a trade agreement. The bill  
8 requires the council to submit the report to the general  
9 assembly and the governor. The council is also required to  
10 make recommendations to the general assembly.