

**Senate File 2263 - Reprinted**

SENATE FILE 2263  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 3075)

(As Amended and Passed by the Senate March 8, 2022)

**A BILL FOR**

1 An Act relating to the confirmation by the senate of certain  
2 appointees.

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

1 Section 1. NEW SECTION. 2.32B Confirmations of appointment  
2 — requests.

3 1. A member of the senate may request that an appointment  
4 made by the governor or an appointing authority other than the  
5 governor that is not otherwise subject to senate confirmation  
6 pursuant to section 2.32 be subject to such confirmation as  
7 provided in that section.

8 2. A request under this section shall be signed by at  
9 least twenty-six senators and shall be submitted to the office  
10 of the president of the senate within sixty days following  
11 the appointment. The request shall be accompanied by an  
12 explanation as to why senate confirmation is sought, and shall  
13 be printed in the journal of the senate and included in the  
14 materials submitted pursuant to section 2.32, subsection 3.

15 3. The secretary of the senate shall notify the office of  
16 the governor or the appointing authority, as applicable, within  
17 two days of receipt of a request under this section.

18 4. An appointee subject to confirmation pursuant to this  
19 section shall be confirmed as provided in section 2.32, and  
20 shall be considered a nominee to fill a vacancy occurring on  
21 the date a request is submitted pursuant to this section.

22 5. An appointee who is the subject of a request pursuant  
23 to this section shall remain in the appointed position as a  
24 temporary or interim appointee until confirmed pursuant to  
25 section 2.32, withdrawn from consideration by the governor  
26 or appointing authority, or otherwise terminated from the  
27 position.

28 6. The senate may adopt rules for the implementation of this  
29 section.

30 Sec. 2. Section 16.2C, subsection 3, Code 2022, is amended  
31 to read as follows:

32 3. The agricultural development board consists of five  
33 members appointed by the governor ~~subject to confirmation by~~  
34 ~~the senate.~~ The executive director of the authority or the  
35 executive director's designee shall serve as an ex officio,

1 nonvoting member.

2 Sec. 3. Section 23.3, subsection 1, Code 2022, is amended  
3 to read as follows:

4 1. An Iowa public information board is created consisting of  
5 nine members appointed by the governor, ~~subject to confirmation~~  
6 ~~by the senate~~. No more than three members appointed shall be  
7 representatives from the media including newspapers and no  
8 more than three members appointed shall be representatives  
9 of cities, counties, and other political subdivisions of the  
10 state.

11 Sec. 4. Section 35A.2, subsection 1, Code 2022, is amended  
12 to read as follows:

13 1. A commission of veterans affairs is created consisting of  
14 eleven persons who shall be appointed by the governor, ~~subject~~  
15 ~~to confirmation by the senate~~. Members shall be appointed to  
16 staggered terms of four years beginning and ending as provided  
17 in [section 69.19](#). The governor shall fill a vacancy for the  
18 unexpired portion of the term. In addition to the members  
19 appointed by the governor, the director of the department  
20 and the commandant of the Iowa veterans home shall serve as  
21 nonvoting, ex officio members of the commission.

22 Sec. 5. Section 80B.6, subsection 1, unnumbered paragraph  
23 1, Code 2022, is amended to read as follows:

24 An Iowa law enforcement academy council is created  
25 consisting of the following thirteen voting members appointed  
26 by the governor, ~~subject to confirmation by the senate~~, to  
27 terms of four years commencing as provided in [section 69.19](#):

28 Sec. 6. Section 80E.2, subsection 2, Code 2022, is amended  
29 to read as follows:

30 2. The prosecuting attorney, licensed substance abuse  
31 treatment specialist, certified substance abuse prevention  
32 specialist, substance abuse treatment program director,  
33 member representing the Iowa peace officers association,  
34 member representing the Iowa state police association, and the  
35 member representing the Iowa state sheriffs' and deputies'

1 association shall be appointed by the governor, ~~subject to~~  
2 ~~senate confirmation,~~ for four-year terms beginning and ending  
3 as provided in [section 69.19](#). A vacancy on the council shall  
4 be filled for the unexpired term in the same manner as the  
5 original appointment was made.

6 Sec. 7. Section 142A.3, subsection 3, paragraph a,  
7 unnumbered paragraph 1, Code 2022, is amended to read as  
8 follows:

9 Members, at least one of whom is a member of a racial  
10 minority, to be appointed by the governor, ~~subject to~~  
11 ~~confirmation by the senate pursuant to [sections 2.32](#) and [69.19](#),~~  
12 and consisting of the following:

13 Sec. 8. Section 216A.12, subsection 1, Code 2022, is amended  
14 to read as follows:

15 1. The commission of Latino affairs consists of seven  
16 members, appointed by the governor, ~~and subject to confirmation~~  
17 ~~by the senate pursuant to [section 2.32](#).~~ Commission members  
18 shall be appointed in compliance with [sections 69.16](#) and  
19 [69.16A](#). Commission members shall reside in the state.

20 Sec. 9. Section 216A.53, subsection 1, Code 2022, is amended  
21 to read as follows:

22 1. The commission on the status of women is established and  
23 shall consist of seven voting members who shall be appointed by  
24 the governor, ~~subject to confirmation by the senate pursuant~~  
25 ~~to [section 2.32](#),~~ and shall represent a cross section of the  
26 citizens of the state. All members shall reside in the state.

27 Sec. 10. Section 216A.74, subsection 1, Code 2022, is  
28 amended to read as follows:

29 1. The commission of persons with disabilities is  
30 established and shall consist of seven voting members appointed  
31 by the governor, ~~subject to confirmation by the senate pursuant~~  
32 ~~to [section 2.32](#).~~ A majority of the commission shall be persons  
33 with disabilities. All members shall reside in the state.

34 Sec. 11. Section 216A.92A, subsection 1, unnumbered  
35 paragraph 1, Code 2022, is amended to read as follows:

1 The commission on community action agencies is created,  
2 composed of nine members appointed by the governor, ~~subject to~~  
3 ~~confirmation by the senate.~~ The membership of the commission  
4 shall reflect the composition of local community action agency  
5 boards as follows:

6 Sec. 12. Section 216A.113, subsection 1, Code 2022, is  
7 amended to read as follows:

8 1. The commission of deaf services is established, and shall  
9 consist of seven voting members appointed by the governor,  
10 ~~subject to confirmation by the senate pursuant to section~~  
11 ~~2.32.~~ Membership of the commission shall include at least four  
12 members who are deaf and at least one member who is hard of  
13 hearing. All members shall reside in Iowa.

14 Sec. 13. Section 216A.132, subsection 1, paragraph a,  
15 unnumbered paragraph 1, Code 2022, is amended to read as  
16 follows:

17 The governor shall appoint nine voting members each for  
18 a four-year term beginning and ending as provided in section  
19 69.19 ~~and subject to confirmation by the senate~~ as follows:

20 Sec. 14. Section 216A.142, subsection 1, Code 2022, is  
21 amended to read as follows:

22 1. The commission on the status of African Americans is  
23 established and shall consist of seven members appointed by  
24 the governor, ~~subject to confirmation by the senate.~~ All  
25 members shall reside in Iowa. At least five members shall be  
26 individuals who are African American.

27 Sec. 15. Section 216A.152, subsection 1, Code 2022, is  
28 amended to read as follows:

29 1. The commission of Asian and Pacific Islander affairs is  
30 established and shall consist of seven members appointed by the  
31 governor, ~~subject to confirmation by the senate.~~ Members shall  
32 be appointed representing every geographical area of the state  
33 and ethnic groups of Asian and Pacific Islander heritage. All  
34 members shall reside in Iowa.

35 Sec. 16. Section 216A.162, subsection 1, Code 2022, is

1 amended to read as follows:

2 1. A commission of Native American affairs is established  
3 consisting of eleven voting members appointed by the governor,  
4 ~~subject to confirmation by the senate.~~

5 Sec. 17. Section 216B.2, subsection 1, Code 2022, is amended  
6 to read as follows:

7 1. The commission for the blind is established consisting  
8 of three members appointed by the governor, ~~subject to~~  
9 ~~confirmation by the senate.~~ Members of the commission shall  
10 serve three-year terms beginning and ending as provided in  
11 section 69.19. The members of the commission shall appoint  
12 officers for the commission. A majority of the members of the  
13 commission shall constitute a quorum.

14 Sec. 18. Section 217.2, subsection 1, paragraph a, Code  
15 2022, is amended to read as follows:

16 a. There is created within the department of human services  
17 a council on human services which shall act in a policymaking  
18 and advisory capacity on matters within the jurisdiction of  
19 the department. The council shall consist of seven voting  
20 members appointed by the governor ~~subject to confirmation~~  
21 ~~by the senate.~~ Appointments shall be made on the basis of  
22 interest in public affairs, good judgment, and knowledge and  
23 ability in the field of human services. Appointments shall  
24 be made to provide a diversity of interest and point of view  
25 in the membership and without regard to religious opinions or  
26 affiliations. The voting members of the council shall serve  
27 for six-year staggered terms.

28 Sec. 19. Section 225C.5, subsection 1, unnumbered paragraph  
29 1, Code 2022, is amended to read as follows:

30 A mental health and disability services commission is  
31 created as the state policy-making body for the provision  
32 of services to persons with mental illness, an intellectual  
33 disability, other developmental disabilities, or brain  
34 injury. The commission's voting members shall be appointed  
35 to three-year staggered terms by the governor ~~and are subject~~

1 ~~to confirmation by the senate.~~ Commission members shall be  
2 appointed on the basis of interest and experience in the fields  
3 of mental health, intellectual disability, other developmental  
4 disabilities, and brain injury, in a manner so as to ensure  
5 adequate representation from persons with disabilities and  
6 individuals knowledgeable concerning disability services. The  
7 department shall provide staff support to the commission, and  
8 the commission may utilize staff support and other assistance  
9 provided to the commission by other persons. The commission  
10 shall meet at least four times per year. The membership of the  
11 commission shall consist of the following persons who, at the  
12 time of appointment to the commission, are active members of  
13 the indicated groups:

14 Sec. 20. Section 225C.51, subsection 2, Code 2022, is  
15 amended to read as follows:

16 2. Members appointed by the governor shall serve four-year  
17 staggered terms ~~and are subject to confirmation by the senate.~~  
18 The four-year terms shall begin and end as provided in section  
19 69.19. ~~Vacancies on the state board shall be filled as~~  
20 ~~provided in [section 2.32](#).~~ A member shall not be appointed for  
21 more than two consecutive four-year terms.

22 Sec. 21. Section 231.11, Code 2022, is amended to read as  
23 follows:

24 **231.11 Commission established.**

25 The commission on aging is established which shall consist  
26 of eleven members. One member each shall be appointed by the  
27 president of the senate, after consultation with the majority  
28 leader of the senate, and by the minority leader of the  
29 senate, from the members of the senate to serve as ex officio,  
30 nonvoting members. One member each shall be appointed by the  
31 speaker of the house of representatives and by the minority  
32 leader of the house of representatives, from the members of  
33 the house of representatives to serve as ex officio, nonvoting  
34 members. Seven members shall be appointed by the governor  
35 ~~subject to confirmation by the senate.~~ Not more than a simple

1 majority of the governor's appointees shall belong to the same  
2 political party. At least four of the seven members appointed  
3 by the governor shall be fifty-five years of age or older when  
4 appointed.

5 Sec. 22. Section 237.16, subsection 1, Code 2022, is amended  
6 to read as follows:

7 1. The child advocacy board is created within the department  
8 of inspections and appeals. The state board consists of nine  
9 members appointed by the governor, ~~subject to confirmation~~  
10 ~~by the senate~~ and directly responsible to the governor. One  
11 member shall be an active court appointed special advocate  
12 volunteer, one member shall be an active member of a local  
13 citizen foster care review board, and one member shall be a  
14 judicial branch employee or judicial officer appointed from  
15 nominees submitted by the judicial branch. The appointment is  
16 for a term of four years that begins and ends as provided in  
17 section 69.19. Vacancies on the state board shall be filled in  
18 the same manner as original appointments are made.

19 Sec. 23. Section 256.35A, subsection 2, paragraph a,  
20 unnumbered paragraph 1, Code 2022, is amended to read as  
21 follows:

22 The council shall consist of thirteen voting members  
23 appointed by the governor ~~and confirmed by the senate~~. The  
24 majority of the voting members shall be individuals with autism  
25 or members of their families. Additionally, each of the  
26 following shall be represented among the voting members:

27 Sec. 24. Section 256I.3, subsection 2, paragraph a, Code  
28 2022, is amended to read as follows:

29 a. The board shall consist of twenty-one voting members  
30 with fifteen citizen members and six state agency members.  
31 The six state agency members shall be the directors or their  
32 designees of the following agencies: economic development  
33 authority, education, human rights, human services, public  
34 health, and workforce development. The designees of state  
35 agency directors shall be selected on an annual basis. The



1 citizen members shall be appointed by the governor, ~~subject to~~  
2 ~~confirmation by the senate.~~ The governor's appointments of  
3 citizen members shall be made in a manner so that each of the  
4 state's congressional districts is represented by at least two  
5 citizen members and so that all the appointments as a whole  
6 reflect the ethnic, cultural, social, and economic diversity of  
7 the state. A member of the state board shall not be a provider  
8 of services or other entity receiving funding through the early  
9 childhood Iowa initiative or be employed by such a provider or  
10 other entity.

11 Sec. 25. Section 257.30, subsection 1, Code 2022, is amended  
12 to read as follows:

13 1. A school budget review committee is established in  
14 the department of education and consists of the director  
15 of the department of education in an ex officio, nonvoting  
16 capacity, the director of the department of management, and  
17 four members who are knowledgeable in the areas of Iowa school  
18 finance or public finance issues appointed by the governor  
19 to represent the public. At least one of the public members  
20 shall possess a master's or doctoral degree in which areas  
21 of school finance, economics, or statistics are an integral  
22 component, or shall have equivalent experience in an executive  
23 administrative or senior research position in the education  
24 or public administration field. The members appointed by the  
25 governor shall serve staggered three-year terms beginning  
26 and ending as provided in [section 69.19](#) and ~~are subject to~~  
27 ~~senate confirmation as provided in [section 2.32](#).~~ The committee  
28 shall meet and hold hearings each year and shall continue in  
29 session until it has reviewed budgets of school districts, as  
30 provided in [section 257.31](#). The committee may call in school  
31 board members and employees as necessary for the hearings.  
32 The committee's scheduled hearing agendas and the minutes of  
33 such hearings shall be posted on the department of education's  
34 internet site. Legislators shall be notified of hearings  
35 concerning school districts in their legislative districts.

1     Sec. 26. Section 333A.2, subsection 1, paragraphs b and c,  
2 Code 2022, are amended to read as follows:

3     *b.* Five elected county officials who are regularly involved  
4 in budget preparation. One county official shall be from  
5 a county with a population of less than eleven thousand  
6 five hundred, one from a county with a population of more  
7 than eleven thousand five hundred but not more than sixteen  
8 thousand, one from a county with a population of more than  
9 sixteen thousand but not more than twenty-two thousand five  
10 hundred, one from a county with a population of more than  
11 twenty-two thousand five hundred but not more than eighty  
12 thousand and one from a county with a population of more than  
13 eighty thousand. The governor shall select and appoint the  
14 county officials, ~~subject to the approval of two-thirds of the~~  
15 ~~members of the senate.~~

16     *c.* A certified public accountant experienced in governmental  
17 accounting selected and appointed by the governor ~~with the~~  
18 ~~approval of two-thirds of the members of the senate.~~

19     Sec. 27. Section 368.9, subsection 1, Code 2022, is amended  
20 to read as follows:

21     1. A city development board is created. The economic  
22 development authority shall provide office space and staff  
23 assistance, and shall budget funds to cover expenses of the  
24 board and committees. The board consists of five members  
25 appointed by the governor ~~subject to confirmation by the~~  
26 ~~senate.~~ The appointments must be for four-year staggered terms  
27 beginning and ending as provided by [section 69.19](#), or to fill  
28 an unexpired term in case of a vacancy. Members are eligible  
29 for reappointment.

30     Sec. 28. Section 514I.5, subsection 1, paragraph d, Code  
31 2022, is amended to read as follows:

32     *d.* Four public members appointed by the governor ~~and~~  
33 ~~subject to confirmation by the senate.~~ The public members  
34 shall be members of the general public who have experience,  
35 knowledge, or expertise in the subject matter embraced within

1 this chapter.

2 Sec. 29. Section 602.2102, subsection 1, Code 2022, is  
3 amended to read as follows:

4 1. A seven-member "Commission on Judicial Qualifications"  
5 is established. The commission consists of one district judge  
6 and two members who are practicing attorneys in Iowa and who  
7 do not belong to the same political party, to be appointed  
8 by the chief justice; and four electors of the state who are  
9 not attorneys, no more than two of whom belong to the same  
10 political party, to be appointed by the governor, ~~subject to~~  
11 ~~confirmation by the senate~~. The commission members shall serve  
12 for six-year terms, are ineligible for a second term, and  
13 except for the judicial member shall not hold any other office  
14 of and shall not be employed by the United States or the state  
15 of Iowa or its political subdivisions. Members appointed by  
16 the chief justice shall serve terms beginning January 1 of the  
17 year for which the appointments are made and members appointed  
18 by the governor shall serve staggered terms beginning and  
19 ending as provided by [section 69.19](#). Vacancies shall be filled  
20 by appointment by the chief justice or governor as provided in  
21 this subsection, for the unexpired portion of the term.

22 Sec. 30. Section 904.104, Code 2022, is amended to read as  
23 follows:

24 **904.104 Board created.**

25 A board of corrections is created within the department. The  
26 board shall consist of seven members appointed by the governor  
27 ~~subject to confirmation by the senate~~. Not more than four of  
28 the members shall be from the same political party. Members  
29 shall be electors of this state. Members of the board shall  
30 serve four-year staggered terms.