

HOUSE REPUBLICAN STAFF ANALYSIS

Bill:	House File 2574	House Committee:
Committee:	State Government	House Floor:
Floor Manager:	Rep. Bloomingdale	Senate Floor:
Date:	April 9, 2024	Governor:
Staff:	Jason Covey (1-3626)	

Boards and Commissions Strike After Amendment Division Analysis

Division I

Soil Conservation and Water Quality Committee

Moves the duties of the Soil and Conservation and Water Quality Committee to the Division of Soil Conservation and Water Quality within IDALS. The Committee will continue in an advisory role. The members of the committee will be appointed by the Secretary of Agriculture.

Division II

Professional Land Surveyors - Licensing

Repeals licensure by verification for professional land surveyors from out of state. Licenses issued prior to the enactment of this legislation are still valid until the expiration or suspension/revocation of the license.

DIVISION III

Establishment and Review of Boards, Commissions, Committees, and Councils.

The State Government Efficiency Review Committee to review the usefulness, performance, and efficacy of each board. Reviewing 1/4 of all boards every year on a 4 year cycle beginning in 2025.

Boards scheduled for review shall submit a report on the nature of the board to the committee 30 days prior to the scheduled review date. The committee is required to submit a report of its findings and recommendations to the General Assembly, Governor, and each board reviewed by December 21 after each review.

Includes a sunset provision on all boards established by the General Assembly after the enactment of this bill of 4 years. If the board is exclusively an advisory role the sunset provision is 2 years. The committee also shall set a dissolution date for each existing board at least 4 years from the enactment of this legislation to align with the schedule of review for the board.

The membership of the review committee is 2 majority senators, 1 minority senator, 2 majority house members, 1, minority house member, a designee of the Governor, DOM Director, and the Director of DIAL. Appointments are made by January 31 of the first year of a session.

**DIVISION IV
PROFESSIONAL BOARDS**

Amends code so that all boards under the administration of DIAL shall receive staff support from the Department and not hire its own staff. The Director appoints and supervises an executive director for the Boards of Medicine, Nursing, Dental, and pharmacy. Currently code requires these executive directors to be full time.

Strikes requirement that the Boards of Medicine, Pharmacy, Dental, and Nursing have their own individual executive officers.

Allow DIAL to administratively close a complaint that does not allege a violation of the chapter, statute, or a rule of the board and perform inspections and investigations for the Boards of Medicine, Pharmacy, Dental, and Nursing.

**DIVISION V
Licensure Studies**

Requires DIAL to review all current licensure renewal cycles for professional and occupational licenses and submit a report with proposed recommendations for a uniform renewal cycle to the General Assembly and the Governor by September 30, 2024. Requires DIAL to review and evaluate imposed licensing fees and submit a report to the General Assembly and the Governor by September 30, 2024.

**DIVISION VI
Advisory Bodies**

Gives authority to heads of departments, the Economic Development Authority, Board of Nursing, Dental Board, Board of Education, Transportation Commission, Environmental Protection Commission, and the Board of Corrections to create and utilize ad hoc committees.

**DIVISION VII
Electronic Meetings**

Requires governmental bodies to provide hybrid/teleconference/virtual meetings to allow for the remote participation of its members and eliminates the need to put into the meeting minutes why a meeting in person was not possible.

**DIVISION VIII
Meetings - General**

Changes to the REC dates and meetings. Strikes requirement to meet at least 3 times a year with one meeting in March. Estimate of the revenue conference is due by December 15. The first meeting of a calendar year the REC shall agree to estimates for the current and following fiscal years.

Changes meeting requirements from specific frequency to meeting as deemed necessary.

Division IX Reorganization

Allows the State Treasurer, with consultation with subject matters, to establish the minimum rate to be earned on public deposits and determine a list of financial institutions eligible to accept state public funds. Previously a committee set rates.

Gives members of the Technology Commercialization Committee per diems and mileage for each day spent in performance of their duties as members.

Changes the membership of the Iowa Innovation Council from 29 to 9 voting Members. Membership will be 3 members selected by the Economic Development Authority, the director of the economic development authority, the director of Workforce Development, the president of University of Iowa, the president of ISU, and one community college president selected by the Iowa association of community college trustees. The council selects the chairperson.

Expands the organizations allowed to submit names to the Governor to be on the Commission of Veterans Affairs. If an organization fails to submit a recommendation the Governor may appoint any person to fill the vacancy.

Restructures the membership of the Statewide Interoperable Communications System Board to 7 members consisting of 1 representative of a municipal police department, 1 representative of a sheriff's office representative, 1 representative of a fire department, 1 law communication center manager, 1 local emergency management coordinator, 1 EMS provider, and 1 at large member.

Restructures the membership of the Workforce Development Board. Members include the Governor, 1 state senator, 1 state representative, Director of Workforce Development, Director of Department for the Blind, the Administrator of the Division of Iowa Vocational Rehabilitation Services, 10 members representing state businesses, 4 members who represent the workforce, 2 representatives of labor organizations, 1 representative of a joint labor-management apprenticeship program, 1 city chief elected official, and 1 county chief elected official. The Director of the Department of Education shall appoint 1 ex-officio nonvoting member.

Creates the State Mortality Review Committee. Merger of the Iowa Child Death Review Team, the Child Fatality Review Committee, and the Iowa Domestic Abuse Death Review Team.

Moves the Civil Rights Commission within the Iowa Office of Civil Rights. The commission serves an advisory role to the Office and makes recommendations to the director. The agency of the Office of Civil Rights has the power and duty to receive, investigate, mediate, conciliate, and determine the merits of complaints alleging illegal discriminatory practices.

Repeals the section creating the Iowa comprehensive petroleum underground storage tank fund board at the end of 2028. Any funds remaining in the fund shall be transferred to the storage tank management account of the groundwater protection fund.

Removes rulemaking authority: For the Farmer Advisory Committee, Alcoholic Beverages Commission, Commission of Libraries, Iowa Telecommunications and Technology Commission

Eliminates qualifiers for appointment: Real Estate Appraiser Board (length of experience), architectural examining board (length of experience), Real Estate Commission (length of experience), Iowa Accountancy

Examining Board (length of experience), County Finance Committee (population), Iowa Public Broadcasting Board (length of experience), State Board of Education (knowledge of community college system), Community attraction and tourism program application review committee (geography), Vision Iowa program application review committee (geography), Sports tourism marketing and infrastructure program application review committee (geography), Economic Development Authority (geography),

Reduces the memberships: Architectural examining board (5 to 3), the Iowa Real Estate Appraiser Board (7 to 5), Real Estate Commission (5 to 4), Iowa Accountancy Examining Board (8 to 5), College Student Aid Commission from (9 to 7), Council for agricultural education (9 to 7), State Board of Education (10 to 9), Civil Rights Commission (7 to 5), alternative members to the Board of Medicine (10 to 3), Board of Medicine, Boards of Pharmacy, Optometry, Mortuary Science, Sign language interpreting and translation, State Fire Service and Emergency Response Council (11 to 7), Volunteer service commission, Iowa Innovation Council (29 to 9),

Removes the budget approval authority: for the Environmental protection commission, Natural Resources Commission,

Removes policymaking authority: Board of Corrections, Alcoholic Beverages Commission,

Length of terms: Natural Resources Commission (6 to 4 years), Iowa Higher Education Authority (6 to 4 years and 2 term limits)

Adds requirement: Board of veterinary medicine (farmer who produces ag animals),

Repeals/eliminates:

- Adult Offender Supervision State Council
- Alternative Members to the Board of Pharmacy
- Area Education Agency Advisory Group
- Board of Hearing Aid Specialists
- Chief Technology Officer in the Economic Development Authority
- Child Care Advisory Committee
- Child Support Services Task Force on Liens and Motor Vehicle Registrations
- Commercial air service retention and expansion committee
- Commercial Pesticide Applicator Peer Review Panel
- Commission on educator leadership and compensation
- Community College Council
- Compliance advisory panel
- Conservation Education Program Board
- Consumer advisory panel
- Dental Hygiene Committee
- Drug Policy Advisory Council
- Early Childhood Stakeholders Alliance
- Enhance Iowa Board
- Farm Deer Council
- Farmer Advisory Committee
- Fire Extinguishing System Contractors and Alarm Systems Advisory Board
- Grain Industry Peer Review Panel
- Horizontal Infrastructure Advisory Subcommittee
- Integrated roadside vegetation management technical advisory committee
- Interagency coordinating council
- Interstate Cooperation Commission
- Iowa Cultural Trust
- Iowa Domestic Abuse Death Review Team
- Iowa historical records advisory board
- Iowa streamlined sales tax advisory council
- Leadership Council for Child Care Training and Development
- Midwest Energy Compact
- Nonpublic School Advisory Committee
- Organic Advisory Council
- Prison industries advisory board
- Private pesticide applicator peer review panel
- Public Employment Relations Board
- Public outdoor recreation and resources advisory council

- Public Policy Research Foundation
- Secondary road fund distribution committee
- state advisory board for preserves
- Street construction fund distribution advisory committee
- Tourist Signing Committee
- Vertical Infrastructure Advisory Subcommittee
- Watershed planning advisory council
- Well Contractor’s Council
- Leopold center for sustainable agriculture advisory board
- Postsecondary Course Audit Committee
- State Child Care Advisory Committee
- Adult Protective Advisory Council
- Iowa Council on Homelessness
- Board of Trustees of the Iowa Cultural Trust
- Iowa Great Places Board
- State Historical Society Board of Trustees

Changes the name of the “Board of Directors of the Iowa Lottery” to the Iowa Lottery Commission. Iowa Utilities Board becomes the Iowa Utilities Commission.

Certificate of Need Process – Study

DHHS in consultation with DIAL shall conduct a study of effectiveness of the existing certificate of need process and make recommendations to the General Assembly by December 31, 2025.

**Division X
Public Officers and Employees**

Adds that a governor appointed member of a board can be considered resigning if there is sufficient grounds that would lead to a state officer from being removed from office. Habitual or willful neglect of duty, Any disability preventing a proper discharge of the duties of the office, Gross partiality, Oppression, Extortion, Corruption, Willful misconduct or maladministration in office, Conviction of felony, A failure to produce and fully account for all public funds and property in the officer’s hands at any inspection or settlement, Becoming ineligible to hold the office.

Divisions XI through XVII

Removes the Council on Health and Human Services policymaking, rulemaking, and budget authority. Changes to an advisory role to the Department. Moves licensing, policymaking and rulemaking authority to the Department of Health and Human Services.

The Council on Health and Human Services takes on the duties of the following eliminated boards:

- Advisory Council on Brain Injuries
- Children’s behavioral health system state board
- Congenital and inherited disorders advisory committee
- Emergency Medical Services Advisory Council to the Council on Health and Human Services.
- Trauma System Advisory
- Justice Advisory Board

**Division XVIII
Elimination of Iowa Collaboration for Youth Development Council**

Section 447 – 216A.140

Eliminates the Iowa Collaboration for Youth Development Council. Adds to the duties of the State of Iowa Youth Advisory Council to increase the quality, efficiency, and effectiveness of youth opportunities and programs across the state. An annual report to the General Assembly and the Governor is required by February 1.

Division XXIV

Elimination of Commissions Under Human Rights Board

Combines the advocacy and services of the Office of Latino affairs, Office on the status of women, Office of persons with disabilities, Office of deaf services, Office on the status of African Americans, Office of Asian and Pacific Islander affairs, and the Office of Native American affairs.

The Human Rights Board reduces membership from 16 to 12 members, 7 voting members and 5 nonvoting members. The 7 voting members shall be appointed by the Governor subject to Senate confirmation. The board shall study opportunities for changing the needs of underrepresented populations, serve as a liaison between the department and the public, recommend adoption of rules and legislative and executive action to advance the interests of underrepresented populations.

Repeals the Commission of Latino Affairs, Commission on the Status of Women, Commission of Persons with Disabilities.

Eliminates the office of Deaf Services. Merges the Commission of Deaf Services and the Dual Party Relay Council. Eliminates Senate confirmation for appointees to the Commission of Deaf Services. The Commission will be 4 members who are deaf or hard of hearing and 3 representatives of telephone companies. The commission shall advise the Utilities Board on the statewide program to provide dual party relay service. Eliminates the Dual Party Relay Council.

The Human Rights Board and the Department of Health and Human Services maintain the same limitations the Commission and Office on Native American Affairs for administering or implementing the duties of the Federal Indian Gaming Act or the Federal National Historic Preservation Act. The Human Rights Board is prohibited from interfering with the advisory role of a separate Indian advisory council or committee.

Eliminates the Community Action Agency Commission and the Family Development and Self-Sufficiency Council. The rulemaking authority moves to the Department of Health and Human Services.

Division XX

HAWKI Board and Advisory Committee for Children With Special Health Care Needs Elimination

Section 475-484 - 249A.4B, subsection 2, paragraph b

Eliminates the HAWK-I Board and the HAWK-I Advisory Committee and moves the duties to the Medical Assistance Advisory Council.

Division XXI

Autism Council Elimination and Creation of Iowa Special Education Council

Section 485-487 - 256.35B

Creates the Iowa Special Education Council to act in an advisory capacity to the Department of Education for children requiring special educations under the control of the Department. The council has 7 voting members appointed by the Governor and confirmed by the Senate. Membership will be 1 parent/guardian of a student

with autism, 1 parent/guardian of a student with a behavioral disorder, 1 parent/guardian of a student with a mental learning disability or head injury, 1 parent/guardian of a student with a communication learning disability, 1 parent/guardian of a student with dyslexia, and 1 special education teacher.

Repeals the Iowa Autism Council. This division takes effect July 1, 2025.

**Division XXII
Transition Provisions**

Section 488

Rules in effect by an eliminated government body continue until the rule is amended, rescinded, supplemented or the rule expires. Licenses and permits issued by an eliminated government body continue until expiration or renewal.

Any cause of action, statute of limitations, or administrative actions by an eliminated body shall not be affected as a result of this legislation.

July 1, 2025 the Governor shall appoint and set the staggered terms of board and commission members who were altered by this legislation.

Amendment Analysis

H-XXXX by Bloomingdale (2nd Degree)

Strikes over prescriptive language in Division III on the Review Committee to provide more flexibility in the committee deciding how they review and evaluate committees and boards. Removes LSA from being required to draft reports for every legislative proposal to regulate or create a board.

Strikes changes to REC meetings, strikes change in Board of Medicine size, adds that a nurse practitioner is on the Board of Nursing, and strikes an errant reference to gender balances.

H-8296 by Zabner (2nd Degree)

Adds to the Department of Health and Human Services that the Director shall ensure that the Department is in compliance with the Federal National Voter Registration Act of 1993.

