

MINUTES

IOWA LEGISLATIVE COUNCIL

June 23, 1993

PRELIMINARY BUSINESS

The third meeting of the 1993-1994 Legislative Council was called to order by Chairperson Senator Wally Horn at 1:45 p.m., Wednesday, June 23, 1993, in the Board Room of Kirkwood Hall, Kirkwood Community College, Cedar Rapids, Iowa. Members present, in addition to Chairperson Horn, were:

Representative Harold Van Maanen, Vice Chairperson
Senator Leonard Boswell
Senator Florence Buhr
Senator Donald E. Gettings
Senator Emil Husak
Senator John Jensen
Senator Jim Lind
Senator Larry Murphy
Senator William D. Palmer
Senator Jack Rife
Representative Bob Arnould
Representative John H. Connors
Representative Ron J. Corbett
Representative Teresa Garman
Representative Pam Jochum
Representative Mary Lundby
Representative Brent Siegrist
Representative Richard Vande Hoef

Also present during all or part of the meeting were: Senator Bill Dielemen, Representative Richard Running, Ms. Kay Chapman; Ms. Diane Bolender, Director, Mr. Richard Johnson, Deputy Director, and Mr. John Pollak, Committee Services Administrator, Ms. Leslie Hickey, Legal Counsel, Mr. Mark Johnson, Legal Counsel, Mr. Mike Goedert, Senior Legal Counsel of the Legislative Service Bureau; Mr. Dennis Prouty, Director, and Mr. Tim Faller, Deputy Director of the Legislative Fiscal Bureau; Mr. William P. Angrick II, Citizens' Aide/Ombudsman; Mr. Sandy Scharf, Director, Computer Support Bureau; Ms. Liz Isaacson, Chief Clerk of the House; Ms. Cynde Clingan, Assistant Secretary of the Senate; Ms. Maryjo Welch, Administrative Assistant; Mr. Mark Brandsgard, Senior Administrative Assistant;

Mr. Warren Fye, Senior Caucus Staff Director; Ms. Paulee Lipsman, Senior Caucus Staff Director; Ms. Debbie O'Leary, Caucus Staff Director; Ms. Carol Olson, Caucus Staff Director; Mr. John Cacciatore, Administrative Assistant; Mr. Thane R. Johnson, Senior Research Analyst, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

ROLL CALL AND MINUTES

Chairperson Horn noted that the roll was taken as the members arrived and that a quorum was present.

Senator Husak moved that the minutes of the May 26 meeting be approved as submitted. The motion was adopted.

EDUCATIONAL LEAVE REPORTS

Ms. Diane Bolender was recognized for comments regarding the Educational Leave Reports which were distributed to the Council members. She noted that the Reports are for fiscal year 1992 and are submitted to the Legislative Council for informational purposes as required by law.

There being no comments or questions, Representative Connors moved that the Educational Leave Reports be received and filed. The motion was adopted.

HOST RECOGNITION

Chairperson Horn thanked the Cedar Rapids Chamber of Commerce and the Kirkwood Community College for hosting the Legislative Council for its June meeting. Members of the Council expressed their appreciation with applause.

INVITATION TO MIDWESTERN LEGISLATIVE CONFERENCE

Representative Connors reported that the State of Michigan is scheduled to host the 1994 Midwestern Legislative Conference, but the Michigan legislative leaders have asked to host the Annual Meeting at another time. He added that none of the other midwestern states has offered to host the 1994 Conference which has resulted in a possible invitation to join the Western Legislative Conference at its annual meeting in Arizona. He expressed the belief that this alternative is unsatisfactory in that the Midwestern Legislative Conference should meet in the Midwest. He stated that, after discussion with Iowa legislative leaders and

Midwestern Legislative Conference officers and staff, he proposes that the Chairperson and Vice Chairperson of the Legislative Council issue an invitation to the Midwestern Legislative Conference to hold its 1994 Annual Meeting in Iowa, probably in Des Moines.

Representative Connors stated that he has contacted Mr. Michael Reagan, Executive Secretary of the Des Moines Chamber of Commerce, concerning financial support, and Mr. Marion Lucas, Secretary, State Fair Board, for assistance in hosting the Conference. He added that hosting the Conference will not involve the expenditure of state funds.

In reply to a question by Representative Lundby, he replied that the recommended dates for the Conference are August 14 - 17, 1994, and that Senator Horn and Speaker Van Maanen would be excellent candidates for Co-chairpersons of the Conference.

After further discussion, Representative Connors moved that the Legislative Council invite the Midwestern Legislative Conference to meet in Iowa for its 1994 Annual Meeting. The motion was adopted.

REPORT OF THE FISCAL COMMITTEE

Chairperson Horn recognized Senator Larry Murphy, Co-chairperson, Legislative Fiscal Committee, for its report. Senator Murphy stated that the Committee met on Tuesday, June 22, 1993, at Oakdale Research Park in Iowa City and at Kirkwood Community College in Cedar Rapids. He stated that the meeting produced no recommendations from the Committee, but the tour and presentations by the research staff were very informative. Senator Murphy expressed his appreciation for the time and effort of the staff at Oakdale Research Park and at Kirkwood Community College.

Senator Murphy moved that the Report of the Fiscal Committee be accepted. The motion was adopted. A copy of the Report of the Fiscal Committee is attached to, and by this reference made a part of these minutes.

REPORT OF THE ADMINISTRATION COMMITTEE

Chairperson Horn recognized Senator Palmer for the Report of the Administration Committee. He noted that the Administration Committee has devoted considerable discussion to current and potential uses for the First Aid Room on the basement level of the Capitol Building, access to the Iowa

Administrative Code including copyright protections, and possible locations for a smoking room in the Capitol Building. He added that the Committee needs additional time to consider various alternatives and related costs with regard to the First Aid Room, accommodations for lactation, and the smoking issue.

Vice Chairperson Van Maanen expressed concern with regard to the elimination of the First Aid Room. This area may be needed later for the same purpose, he said, if the General Assembly finds that a first aid/emergency medical room is necessary for its members and staff and other Capitol staff. Senator Palmer also noted that the Committee discussed moving the lactation facilities to the women's lounge or to a room on another floor of the Capitol. Senator Buhr commented that there may be liability problems with the current first aid procedures offered during the legislative sessions.

Senator Palmer also noted that the General Assembly has a responsibility to the staff which are located on third floors of the Capitol Building in areas without proper exits available. Representative Connors suggested that the Committee members review the most recent inspection of legislative areas by the State Fire Marshal.

Concerning item #1 in the Report of the Committee, Representative Garman stated that she is not ready to vote to eliminate the First Aid Room. Representative Siegrist responded that he does not believe that recommendation is irreversible if a medical aid area is wanted at a later date.

Senator Husak stated that more time is needed to resolve the issue and suggested that the first recommendation be rewritten to provide more time to consider alternatives. After further discussion, Senator Husak moved that the first part of recommendation #1 be amended to read as follows: "1. That the Administration Committee be given additional time to study the need, costs, and future use of the First Aid Room on the basement level in the Capitol Building including consideration of other possible uses of the area,." Representative Siegrist stated that the second part of the first recommendation relating to written information be provided to legislators as to where medical care can be obtained should be retained. There being no further comments, Senator Husak's motion was adopted.

Senator Palmer moved the adoption of the second and third recommendations of the Report of the Administration Committee. The motion was adopted. A copy of the Report of the Administration Committee is attached to, and by this reference, made a part of these minutes.

REPORT OF THE SERVICE COMMITTEE

Chairperson Horn recognized Vice Chairperson Van Maanen for the Report of the Service Committee. Vice Chairperson Van Maanen briefly reviewed the recommendations of the Committee and moved that the Report be adopted.

Representative Lundby asked if the pages are covered by the sexual harassment policy. Ms. Bolender responded that the pages who are working for the central legislative staff agencies are covered as part-time employees under this policy. She added that the policy is written to apply to central staff agencies only.

Concerning the substance abuse policy, Senator Murphy stated that he does not agree that the "public perception" or an "allegation" of wrongdoing should determine whether or not an employee is disciplined or discharged. Ms. Bolender responded the policy is written to separate any criminal proceedings from an administrative review of the person's fitness to continue in public employment. Senator Murphy questioned whether an employee should be discharged for an alleged criminal action if the person is not subsequently convicted of that charge.

In reply to a question by Representative Connors, Ms. Bolender stated that grievance procedures can be used by an employee who is discharged or disciplined for an alleged substance abuse violation.

In reply to a question by Representative Lundby, Mr. Angrick replied that most medical plans for state employees have provision for initial investigation and inpatient treatment of substance abuse, but he could not state that all state health plans have these services. Representative Lundby stated that she also has serious doubts concerning the substance abuse policy and the "nexus" question concerning the relationship of an infraction to an employee's job responsibilities.

After discussion, Representative Lundby moved to delete the recommendation to adopt the substance abuse policy from the Report of the Service Committee. The motion was adopted.

Vice Chairperson Van Maanen restated his motion to adopt the Report of the Service Committee as amended. The motion was adopted. A copy of the Report of the Service Committee is attached to and by this reference made a part of, these minutes.

REPORT OF THE STUDIES COMMITTEE

Representative Mary Lundby was recognized to present the Report of the Studies Committee. Representative Lundby stated that the Report includes three recommendations which include creating five new study committees, providing

guidelines for the interim studies, and authorizing the bipartisan legislative leaders to appoint the study committee members.

Representative Lundby stated that the House legislative leaders have authorized 115 meeting days for new studies and that the recommendations will utilize 45 of those days. She further stated that to clarify the policy regarding compensation of public members in the guidelines for interim studies which are part of the Studies Committee's recommendations, the statement used in the past has been amended to add so that the statement reads that persons serving as public members "are eligible to" receive actual expenses only, allowing public members to decline payment for expenses.

There being no further questions, Representative Lundby moved that the Report of the Studies Committee be adopted. The motion was adopted. A copy of the Report of the Studies Committees is attached to, and by this reference, made a part of these minutes.

NEXT MEETING

Chairperson Horn announced that the next meeting of the Legislative Council is tentatively scheduled for Wednesday, July 21, 1993.

ADJOURNMENT

There being no further business to come before the Council, Representative Connors moved that the Legislative Council adjourn at 2:27 p.m. The motion was adopted.

Respectfully submitted,

DIANE E. BOLENDER
Director

THANE R. JOHNSON
Senior Research Analyst

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