

## M I N U T E S

### IOWA LEGISLATIVE COUNCIL

July 8, 1987

#### PRELIMINARY BUSINESS

The fourth meeting of the 1987-1988 Legislative Council was called to order by Chairperson Donald D. Avenson at 11:10 a.m., Wednesday, July 8, 1987, in Senate Room 22 of the State Capitol Building, Des Moines, Iowa. Members present in addition to Chairperson Avenson were:

Senator Bill Hutchins, Vice Chairperson  
Senator C. Joseph Coleman  
Senator Donald V. Doyle  
Senator Lee W. Holt  
Senator Calvin O. Hultman  
Senator Emil J. Husak  
Senator George R. Kinley  
Senator Joe J. Welsh  
Representative Robert C. Arnould  
Representative Kay Chapman  
Representative John H. Connors  
Representative William H. Harbor  
Representative Thomas J. Jochum  
Representative Delwyn Stromer  
Representative Harold Van Maanen

Also present were Donovan Peeters, Director, Legislative Service Bureau; Bernie Koebernick, Deputy Director, Legislative Service Bureau; Richard Johnson, Legal Counsel, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

#### APPROVAL OF MINUTES

Representative Connors moved to dispense with the roll call and to approve the minutes of the June 23, 1987 Council meeting, as submitted. The motion was adopted by a unanimous voice vote.

STUDIES COMMITTEE REPORT

Senator Hutchins presented to the Council a written document, entitled "Additional Interim Studies To Be Considered By Studies Committee," which is the basis for the Studies Committee's Report to the Council. The complete written Report of the Studies Committee, which was prepared after the Council's meeting, is attached to and, by this reference, made a part of these minutes. The Report recommends the establishment of the following committees: Review of State Services for Older Iowans; State Tax Reform; Health Care Services; AIDS Task Force; Public Funds for Economic Development; Infrastructure Funding Formula; Court Administrative Services; Outdoor Recreation Funding; Employee Assistance Program; and Community College Capitals Funding. Senator Hutchins pointed out the following modifications to the written document, which was available at the Council meeting, as recommended by the Studies Committee:

AIDS Task Force. Infectious disease prevention programs would be stricken as an area of investigation for the Health Care Services Study Committee and a ninth committee would be created as an AIDS Task Force to investigate over a longer time period the AIDS-related issues of health care, civil liberties, and testing. The Task Force would be composed of four legislators and seven public members representing professional health care providers, the insurance industry, and the high risk populations.

Private Economic Development Activity. The Public Funds for Economic Development Study Committee would be charged with reviewing the role of public-private partnerships in the funding of economic development activities.

Representation on Infrastructure Funding Formula Study Committee. The nonlegislator members of the Infrastructure Funding Formula Study Committee would be chosen in order that local government, appropriate state government agencies, and interested citizen groups would be represented.

Contacts for State Employee Productivity Study. The National Conference of State Legislatures and the Council of State Governments would be contacted for information relating to other states' activities in promoting employee productivity before the Employee Assistance Program Study Committee would meet.

Community College Capitals Funding. A study committee would be created with three Senate and three House members and authorized two meeting days to investigate with labor, management, and the community colleges the necessary steps to be taken to allow job training programs at the community colleges to stay abreast of changing technology.

Senator Hutchins also reported that the above mentioned document also includes the Studies Committee's recommendation to approve Mandated Insurance Coverage as a topic for a LEAG study and to refer the issues of government competition with private enterprise, prison population, and institutional visitations to the Fiscal Committee. Senator Hutchins pointed out that an addition to the document would be the inclusion of prison privatization as an issue to be referred to the Fiscal Committee for review.

#### COUNCIL ACTION ON STUDIES COMMITTEE RECOMMENDATIONS

Chairperson Avenson moved that the AIDS Study Committee be authorized three meeting days to arrive at a recommendation to be made to the Studies Committee and the Legislative Council regarding a plan of action for the state to combat the effects of AIDS on the population of Iowa. Representative Stromer asked if the charge of the Committee would be similar to that outlined in an Iowa newspaper. Chairperson Avenson stated that the charge of the Committee would be to study the issues of health care, civil liberties, and testing. The Avenson motion was approved by a unanimous voice vote.

Representative Stromer voiced his concern that the additional 10 committees recommended by the Studies Committee would bring the total number of approved interim study committees to 24. He also asked if the proposed LEAG study on mandated insurance coverage would duplicate work of the Mandatory Auto Liability Insurance Study Committee approved by the Council at its last meeting. Chairperson Avenson stated that the new study committee would only be addressing mandatory health insurance coverages, not automobile insurance coverage.

Representative Harbor asked if it was not unusual to appoint an Infrastructure Funding Formula Study Committee other than from the membership of the standing Transportation Committees. Chairperson Avenson stated that most members would be taken from the standing Transportation Committee memberships. Senator Hutchins added that the last study committee on this issue included public members only until the committee requested expansion to include legislators. Responding to Representative Harbor's question as to whether the charge of the Committee would be limited to a review of the road use tax formula, Chairperson Avenson remarked that the Committee would be expected to review infrastructure funding issues both related to the current formula as well as funding programs and proposals outside the formula such as the RISE program and the proposed Transportation 2000 program.

Representative Stromer inquired as to duplication of studies regarding the Community College Capitals Funding Study Committee. Chairperson Avenson remarked that the Committee will not duplicate

work regarding federal Job Training Partnership Act activities since the Committee will focus on the training or retraining of current workers and will not focus on new or displaced workers. He added that current statutory funding mechanisms do not provide for the purchase or updating of equipment needed to provide meaningful job training in our world of rapid technological change. Senator Kinley remarked that the proposed Committee might include redirecting the community colleges to fulfill their original purpose related to vocational education. Representative Stromer commented that the tax millage rate approved some five years ago did relate to equipment, but that his major concern is the overlapping charges of the various study committees, such as employment assistance, economic development, rural development, tax, unemployment insurance, and others. Representative Stromer concluded that the charges look duplicative to him but that he would not stand in the way of progress. Chairperson Avenson assured him that the committees have all been given exclusive charges.

Senator Holt moved that the ten study committees be approved as proposed. The motion was adopted by a unanimous voice vote.

#### LEAG STUDY AND REFERRALS TO FISCAL COMMITTEE

Senator Hutchins reported that the Studies Committee recommends that LEAG contract for a Mandated Insurance Coverage Study to document the status and impact of legislatively mandated life and health coverages in other states and to study the regulatory practices covering benevolent associations and organizations. He also reported that the Studies Committee recommends referring the issues of government competition with private enterprise and prison population, prison privatization, and institution visitations to the Fiscal Committee. Senator Coleman moved that the Council approve the LEAG topic and the referral of the issues to the Fiscal Committee. The motion was approved by a unanimous voice vote.

#### STUDY COMMITTEE MEMBERSHIP

Representative Connors moved that the Council authorize leadership to appoint the memberships of the study committees established by the Council. The motion was approved by a unanimous voice vote.

#### LEAG CONTRACT APPROVAL

Representative Chapman moved that leadership be authorized to approve the awarding of LEAG study contracts. The motion was approved by a unanimous voice vote.

### LEGISLATIVE PROCEDURES

Senator Hutchins announced that leadership would be referring the question of a change in legislative procedures, such as the budget process, to the standing Rules and Administration Committees of the Senate and the House and that Senator Hultman has already asked for assistance from the National Conference of State Legislatures on the issue. No objection was raised.

### OTHER BUSINESS

Representative Stromer raised a concern that no interim study committee had been specifically charged with reviewing the issues of medical malpractice and products liability and moved that the issues be included. Senator Hutchins remarked that last year's interim study committee report on liability issues is on file. Representative Stromer remarked that the past committee was appointed by the previous General Assembly and that it would be advantageous for the present General Assembly to authorize its own study. Chairperson Avenson commented that an additional study, in his opinion, would not be productive and would only dilute the previous study's findings to the dismay of some reform-minded legislators. Other states, such as Missouri, are just now in the process of reform already undertaken by Iowa, he added. Representative Stromer observed that he cannot understand why some interest groups have been allowed to block legislative action in this rapidly changing area of the law. He withdrew his earlier motion for inclusion of the medical malpractice and products liability issues as topics of an interim study.

Representative Harbor remarked that the Legislature is in fact acting by its inaction in this area. Chairperson Avenson commented that the Senate has passed the bill creating a joint underwriting pool for medical malpractice claims and that it is traditional that a topic already passed by one house and before the second house not be studied by an interim study committee. Representative Harbor asked if Chairperson Avenson could assure him that the issue would be debated on the floor of the House. Chairperson Avenson stated that he could not assure that the bill would be debated.

### INTERNATIONAL TRADE

Representative Stromer made available to the Council copies of a letter addressed to Mr. Ned Chiodo, Chairperson of the World Trade Advisory Committee, from Mr. Allan Thoms, Director of the Iowa Department of Economic Development. The letter details some of the activities of the Department in the areas of international trade education, research, and information sharing.

ADJOURNMENT

There being no further business to come before the Council, Senator Hultman moved that the Council adjourn and the meeting was adjourned at 11:45 a.m. The next meeting of the Council will be upon the call of the Chairperson.

RESPECTFULLY SUBMITTED,

DONOVAN PEETERS, Secretary to the Legislative Council

RICHARD JOHNSON, Legal Counsel