



Legislative
Service
Bureau

MINUTES

IOWA LEGISLATIVE COUNCIL – Corrected Copy

June 30, 1999

Second Meeting of the 1999-2000 Biennium

MEMBERS PRESENT

Speaker Brent Siegrist, Chairperson	
Senator Stewart Iverson, Jr., Vice Chairperson	
Senator Patrick J. Deluhery	Representative Chuck Gipp
Senator Tom Flynn	Representative Betty Grundberg
Senator Michael Gronstal	Representative Pam Jochum
Senator Johnnie Hammond	Representative David Millage
Senator John Jensen	Representative Pat Murphy
Senator Mary Kramer	Representative Christopher Rants
Senator Derryl McLaren	Representative David Schrader
Senator Don Redfern	Representative Steven Sukup
	Representative John Connors

MEETING IN BRIEF

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1. **Procedural Business.**
 2. **Legal Publication Pricing.**
 3. **Rules for Prefiling Bills.**
 4. **Court Rules.**
 5. **E-Mail Usage Rules.**
 6. **Legislative Fiscal Committee.**
 7. **Service Committee.**
 8. **Oversight Committee.**
 9. **Studies Committee.**
 10. **Capital Projects Committee.**
 11. **Elected Officials and IPERS Coverage.**
 12. **Attachments**
 13. **Written Materials Filed With the Legislative Service Bureau.**
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COMMITTEE BUSINESS

1. **Procedural Business.**

The Legislative Council was called to order by Chairperson Speaker Brent Siegrist at 3:10 p.m., Wednesday, June 30, 1999, in the House of Representatives Chamber, State Capitol, Des Moines, Iowa.



Minutes of June 2, 1999, Meeting. Chairperson Siegrist asked for additions or corrections to the minutes of the June 2 meeting. There being none, the minutes were approved as submitted.

2. Legal Publication Pricing.

The Legislative Council approved, upon motion and unanimous vote, the following prices, not including sales taxes, for the listed legal publications effective July 1, 1999, representing an approximate 4 percent increase from last fiscal year:

Iowa Administrative Bulletin:	\$253.86
Iowa Administrative Code Supplements:	\$409.24
Iowa Administrative Code Set:	\$1,163.76
Iowa Court Rules Supplement:	\$80.34

3. Rules for Prefiling Bills.

The Legislative Council approved, upon motion and unanimous vote, the rules for prefiling legislative bills applicable for the 2000 legislative session. Prefiling is a process triggered by a request to the Legislative Service Bureau that a bill or study bill be prepared prior to the legislative session so that it may be introduced or filed and referred to committee on the first day of the legislative session. If the sponsor of the bill approves the draft for prefiling, the bill becomes available for public viewing upon the date of approval. Under the rules, members of the General Assembly must submit their request by December 3, 1999. Departments and agencies must submit their requests for prefiled bill drafts beginning August 2, 1999, through Monday, November 29, 1999. The Governor must submit bill requests to the Legislative Service Bureau by January 7, 2000.

4. Court Rules.

A change to the Rules of Criminal Procedure submitted by the Supreme Court was received and filed without objection. The change relates to the use of indictments for certain criminal offenses and reflects changes made by the Legislature regarding what constitutes a simple misdemeanor. Representative Millage raised a question as to the ability of the Supreme Court to implement the rule change immediately by a supervisory order instead of waiting 60 days as otherwise prescribed by the Iowa Code, but otherwise did not object to the rule change.

5. E-Mail Usage Rules.

Mr. Sanford Scharf, Director, Legislative Computer Support Bureau, addressed the Council concerning possible guidelines for the use of the legislative electronic mail system for transmitting chain mailings and messages with outrageous content. At its June 2 meeting, the Legislative Council directed the Legislative Computer Support Bureau to prepare a report concerning this issue. Mr. Scharf referred to a memorandum which contained a possible policy governing the use of the legislative computer system



and also contained the policy currently being considered for use, but not yet adopted, by the executive branch. The Council referred the proposed guidelines to the applicable rules committees for the Senate and House.

6. Legislative Fiscal Committee.

Representative Millage reported to Council concerning the June 9, 1999, meeting of the Legislative Fiscal Committee. Representative Millage also sought, on behalf of the Fiscal Committee, authorization for members of the Fiscal Committee to travel by plane to a planned meeting of the Committee in Clarinda if it can be established that the plane travel would be cost efficient when compared to ground transportation. Upon motion and unanimous vote, the Legislative Council granted the authorization.

7. Service Committee.

Senator Iverson gave the Service Committee report. Upon motion and unanimous vote, the Council approved the recommendations of the Service Committee for promotions and the appointment of Ms. Leslie Hickey as Iowa Code Editor. A copy of the Report is attached to these Minutes.

8. Oversight Committee.

Mr. Doug Wulf, Legislative Fiscal Bureau, gave the Oversight Committee report summarizing the meeting of the Committee held June 29, 1999.

Upon motion and unanimous vote, the Legislative Council approved the following:

- The Oversight Committee's request for authorization for the Oversight Committee to develop and recommend a legislative contingency plan associated with the implementation of century date change programming.
- The Oversight committee's request that the Council endorse the Iowa Telecommunications and Technology Commission's payment of funds into the Federal Communications Commission's Universal Services Fund. The funds are in dispute due to the ruling that the Commission does not qualify as a common carrier eligible to receive reimbursement.

9. Studies Committee.

Senator Iverson presented the Studies Committee report. The Studies Committee recommended eight studies and proposed guidelines for interim study committees for the 1999 interim. The recommended studies concern community college governance system, improving school facilities, condominium property taxation, Loess Hills protection and development, increasing use of motor oxygenate enhancers, OWI course requirements, volunteer fire and emergency services, and aviation transportation in Iowa. Representative Schrader moved to amend the portion of the report governing the approval of public member nominees to interim committees by requiring that the approval of public member nominees by the chair and vice chair of the Legislative Council also be



subject to approval by the minority leaders of the Senate and House. Such approval would be in lieu of the proposed consultation with the minority leaders. The proposed amendment by Representative Schrader lost on a voice vote and the Studies Committee report was approved in its entirety. A copy of the Studies Committee Report is attached to these Minutes.

10. Capital Projects Committee.

Representative Gipp gave the report of the Capital Projects Committee. Representative Gipp indicated that discussions were still ongoing concerning the appropriate site for the Iowa Hall of Pride building. The Committee also discussed Capitol space issues. Upon motion and unanimous vote, the Legislative Council approved the holding of two meetings by the Capital Projects Committee to discuss space issues and needs of the Legislature and legislative staff in light of the interior renovation of the Capitol. Representative Gipp indicated that the intent of the Committee was to invite all legislators to attend at least one of the meetings to consider Capitol space issues.

11. Elected Officials and IPERS Coverage.

The Council received information concerning the ability of a person, otherwise eligible to receive retirement benefits under the Iowa Public Employees' Retirement System (IPERS), to continue to also serve as a local elected official without jeopardizing the person's right to receive retirement benefits. Because of this situation, some elected officials have indicated that they might resign their positions by July 1 in order to continue to receive retirement benefits and that they might run for office again in November. Mollie Anderson, Director, Department of Personnel, and Greg Cusack, IPERS Chief Benefits Officer, indicated that current IPERS law does not allow a person to commence receiving a retirement benefit if the person remains a local elected official. Mr. Cusack indicated that as many as 12 people may be affected by this situation. In response to a question by Representative Rants, Mr. Cusack indicated that an administrative rule change allowing coverage would not be permissible since it would be in contravention of what the Iowa Code permits.

Senator Dvorsky commented on whether the Secretary of State may have some possible solutions to this issue and suggested that IPERS staff contact the office to consider any possible options.

Representative Connors moved that the Council indicate that the Legislature would be willing to return in special session to pass legislation to resolve the elected officials' issue if the Governor were to call the Legislature into special session. Representative Rants offered a substitute motion consisting of a proposed Legislative Council resolution directing IPERS to explore all possible options in providing coverage to the affected elected officials. Representative Rants subsequently withdrew his substitute motion and the Legislative Council defeated Representative Connors' motion on a 12-9 vote.



12. Attachments.

- Report of the Service Committee – June 30, 1999.
- Report of the Studies Committee – June 30, 1999.

13. Written Materials Filed With the Legislative Service Bureau.

- a. Memorandum regarding Pricing of Legal Publications.
- b. Rules for Prefiling Legislative Bills – 2000 Session
- c. Memorandum regarding Court Rules.
- d. Memorandum from Mr. Scharf regarding E-mail chain letter and outrageous guideline suggestions.
- e. Fiscal Committee Report – June 9, 1999.
- f. Report of the Oversight Committee – June 30, 1999.
- g. Report of the Capital Projects Committee – June 30, 1999.
- h. Proposed Legislative Council Resolution by Representative Rants.

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