



Legislative  
Service  
Bureau

# MINUTES

## Iowa Legislative Council

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May 27, 1998

Fourth Meeting of 1997-1998 Biennium

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### MEMBERS PRESENT

Senator Stewart Iverson, Jr., Chairperson

Speaker Ron Corbett, Vice Chairperson

Senator Nancy Boettger  
Senator Tom Flynn  
Senator Michael Gronstal  
Senator Rod Halvorson  
Senator Johnnie Hammond  
Senator John Jensen  
Senator John Jensen  
Senator Patty Judge

Senator Mary Kramer  
Senator Derryl McLaren  
Senator Don Redfern  
Representative Dennis Cohoon  
Representative John Connors  
Representative Chuck Gipp  
Representative Betty Grundberg

Representative Libby Jacobs  
Representative David Millage  
Representative Pat Murphy  
Representative David Schrader  
Representative Brent Siegrist  
Representative Harold Van Maanen

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## MEETING IN BRIEF

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Minutes prepared by Thane  
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Organizational staffing by Diane  
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1. **Procedural Business.**
  2. **Prices for Legal Publications.**
  3. **Memorandum - Acts With Immediate Effective Dates and Retroactive Provisions.**
  4. **Report of the Service Committee.**
  5. **Report of the Studies Committee.**
  6. **Report of the Legislative Oversight Committee.**
  7. **Report of the Capital Projects Work Group.**
  8. **Year 2000 Progress Audit.**
  9. **Proposed Gambling Rules.**
  10. **Attachments.**
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### COMMITTEE BUSINESS

#### 1. **Procedural Business.**

**Call to Order.** The fourth meeting of the 1997-1998 Legislative Council was called to order by Chairperson Senator Stewart Iverson, Jr., at 1:40 p.m., Wednesday, May 27, 1998, in Room 118, State Capitol, Des Moines, Iowa.

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## **Iowa Legislative Council**

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**Minutes of November 25 Meeting.** Chairperson Iverson asked for additions or corrections to the minutes of the November 25 meeting. There being none, Senator Boettger moved that the minutes of the November 25 meeting be approved as submitted. The motion was adopted unanimously.

**Adjournment.** Representative David Millage moved that the Council meeting adjourn at 2:05 p.m. The motion was adopted.

### **2. Prices For Legal Publications.**

Ms. Diane Bolender, Director, Legislative Service Bureau, reported that Bill Bruce, Administrator, Printing, Micrographics & Imaging, Department of General Services, recommends that the prices of the Iowa Administrative Bulletin, Iowa Administrative Code Supplement, Iowa Court Rules, and the Iowa Administrative Code be increased by 3 percent. The cost of the binders would also be increased by 3 percent. Mr. Bruce stated that printing costs increased by 6.5 percent last year, but he believes that the printing costs will remain level in future years and, therefore, the 3 percent increase will be sufficient. The recommended prices are as follows:

|                                     |            |
|-------------------------------------|------------|
| Iowa Administrative Bulletin        | \$ 244.10  |
| Iowa Administrative Code Supplement | \$ 393.50  |
| Iowa Court Rules                    | \$ 77.25   |
| Binders                             | \$ 10.90   |
| Iowa Administrative Code            | \$1,119.00 |

There being no comments, Representative Connors moved that the price recommendations for the legal publications be approved. The motion was seconded by Senator Kramer and adopted. A copy of the memorandum from the Department of General Services is filed with the Legislative Service Bureau.

### **3. Memorandum - Acts With Immediate Effective Dates and Retroactive Provisions.**

Ms. Bolender noted that among the written materials received by the Council members is a memorandum from the Legislative Service Bureau identifying legislation enacted during the 1998 Session with immediate effective dates and retroactive applicability provisions. A copy of the memorandum is available from the Legislative Service Bureau upon request.

### **4. Report of the Service Committee.**

Chairperson Iverson recognized Representative Brent Siegrist for the Report of the Service Committee. Representative Siegrist stated that, after receiving the personnel reports of the respective legislative agencies, the Committee considered three budgetary requests and recommends that the Legislative Council approve for expenditure in fiscal year 1999 moneys carried over from fiscal year 1998 to update the Iowa Income Tax Model data base by the Legislative Fiscal Bureau, to publish a new edition of the Iowa Court Rules by the Legislative Service Bureau, and to continue development of a



computer management data software system by the Office of Citizens' Aide/Ombudsman. He stated that the Service Committee also received an oral report from Mr. Grant Dugdale, Assistant Attorney General, concerning recommendations for possible changes to the Personnel Guidelines for the Central Legislative Staff Agencies and a report from the Mr. Sanford Scharf, Director, Legislative Computer Support Bureau, concerning the difficulty in hiring and retaining information technology professionals.

Representative Siegrist moved that the Report of the Service Committee be adopted. There were no questions or comments. The motion was adopted unanimously. A copy of the Report of the Service Committee is attached to these minutes.

## **5. Report of the Studies Committee.**

Representative Gipp was recognized to present the Report of the Studies Committee. Representative Gipp stated that the Committee reviewed the requests for 47 new interim studies and deferred further consideration until the June meeting. He added that the Committee recommends five additional meeting days for the Task Force to Study Iowa's System of State and Local Taxation; the creation of a school finance working committee to study the school finance funding formula and alternative sources of K-12 system funding with 10 legislative members, six meeting days, and up to \$150,000 as a joint legislative expense for authorized expenses of the Committee; the reauthorization of the Child Welfare Services Work Group; the authorization of \$50,000 as a joint legislative expense for the expenses of the Commission on Urban Planning, Growth Management of Cities, and Protection of Farmland; and the endorsement of a one-day Loess Hills area conference to study and develop proposals for the identification and protection of loess soil areas, including the appointment of two Senate members and two House members. The Committee also recommended that the Study Guidelines be amended to authorize the payment of expenses of public members appointed to study committees only if the public member's sponsoring organization provides documentation that the organization does not provide reimbursement for those expenses.

Senator McLaren asked why the Loess Hills area conference is not established as an interim study rather than a one-day conference. Representative Gipp replied that the conference may result in a request for an interim study, but the first steps are to appoint four legislators to provide leadership for the conference and determine what additional steps are desired.

Representative Gipp moved the adoption of the Committee's Report and recommendations. The motion was adopted. A copy of the Report of the Studies Committee is attached to these minutes.

## **6. Report of the Legislative Oversight Committee.**

Representative Jacobs was recognized for the Report of the Legislative Oversight Committee. She stated that the Committee met without a quorum among the Senate members. She added that the House members of the Committee recommend that the



Legislative Council authorize the drafting and distribution of a request for proposals (RFP) to retain a consultant to study and present options related to the disposition of the Iowa Communications Network, its management structure, and the potential for privatization. Representative Jacobs noted that the Committee is requesting no recommendations from the consultant. In reply to a question by Senator Halvorson, Representative Jacobs replied that Senate File 2418 authorizes up to \$75,000 for the consultant services and that amount should be sufficient. She also stated that maintaining the current status of the network is one option to be considered.

Representative Jacobs moved the adoption of the Report of the Legislative Oversight Committee. The motion was adopted. A copy of the Report of the Legislative Oversight Committee is attached to these minutes.

### **7. Report of the Capital Projects Work Group.**

Senator Jensen was next recognized for the report of the Capital Projects Work Group. Senator Jensen referred the members of the Council to a memorandum prepared by Mark Johnson, Legislative Service Bureau, which summarizes the activities of the Work Group since the November 25 meeting of the Legislative Council. He concluded his report by stating the Work Group plans to give its final instructions as to changes in the draft report to the consultant, Herbert Lewis Kruse Blunck, within the next two weeks so that the Final Report can be submitted to the Legislative Council at the June meeting. In reply to a question by Senator Halvorson, Senator Jensen replied that written information on the final report of the space study will be sent to the Council members before the June meeting. In reply to a question by Representative Van Maanen, Senator Jensen replied that further cleaning of the mural "Westward" has been deferred until such time as internal renovations of the building will not interfere with the mural's restoration. Chairperson Iverson thanked Senator Jensen for the status report on the space study. A copy of the memorandum of the Capital Projects Work Group is attached to these minutes.

### **8. Year 2000 Progress Audit.**

Chairperson Iverson noted that Governor Branstad vetoed section 9 of Senate File 2418 which provided for a progress audit by the Legislative Council of the Year 2000 computer programming changes. He added that the reason the Governor item vetoed the provision was that the Year 2000 project office has contracted with an outside consultant to audit the state's progress. However, Chairperson Iverson noted that the judicial branch, the legislative branch, and the Regents institutions are not included in the current contract. He recommended that a separate audit should be considered to focus on procedures, timeframes, and those state agencies which are not included in the executive branch audit. Representative Jacobs suggested that the offices of the elected state officers also be included in the separate audit. During discussion, Senator Flynn stated that private vendors which provide significant services to state agencies should be included if they are not covered under the Governor's Year 2000 project office audit.



Further action on the proposed audit was deferred until the June meeting of the Legislative Council.

## **9. Proposed Gambling Rules.**

Representative Millage stated that he strongly objects to the proposed gambling rules which are being considered by the state Racing and Gaming Commission. He suggested that the Legislative Council should adopt a resolution objecting to the Commission's action and urging the Administrative Rules Review Committee also to object to the proposed rules. He expressed the belief that the state Racing and Gaming Commission has no authority to adopt rules regarding the installation of automated teller machines and that the proposed rules offered by the Commission directly contradict legislative policy passed by strong majorities of both houses of the General Assembly. Representative Millage moved that the Legislative Council strongly objects to the proposed gambling rules as presented in the notice of intended action taken by the state Racing and Gaming Commission at its May 20 meeting and that the Administrative Rules Review Committee be urged to object to their adoption. Senator Halvorson stated that he objects to any proposal of the Legislative Council to direct or request action by the Administrative Rules Review Committee, and he also stated that he believes that the Commission has legislative authority to adopt the proposed rules. Senator Halvorson also questioned whether the use of automated teller machines for credit on gambling premises is currently legal. Representative Van Maanen commented that, notwithstanding his objections to the proposed rules, he also objects to any proposal by the Council to direct or influence the actions of the Administrative Rules Review Committee. Senator Gronstal added that he also objects to the proposed rules, but the Council should not try to direct or influence the actions of the Administrative Rules Review Committee. He also referred to Senator Halvorson's statement that the use of automated teller machines in gambling premises may violate the statutory prohibition against gambling licensees providing credit to patrons by commenting that financial institutions and not gambling licensees provide the credit to patrons. After further discussion, Representative Millage stated that his motion does not mandate action by any other legislative agency but merely indicates the opinion of the Legislative Council. Senator McLaren stated that regardless of the issues involved, the notice of intended action by the state Racing and Gaming Commission is a strong challenge to the legislative authority of the General Assembly and the challenge should not be ignored. Representative Millage withdrew his motion.

## **10. Attachments.**

- a. Report of the Service Committee.
- b. Report of the Studies Committee.
- c. Report of the Legislative Oversight Committee.
- d. Capital Projects Work Group Update.

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