

# M I N U T E S

## LEGISLATIVE COUNCIL

July 8, 1981

The sixth meeting of the 1981-1983 Legislative Council was called to order at 10:35 a.m., Wednesday, July 8, 1981, in Committee Room 22 of the State House, Des Moines. Council members attending were:

Senator Calvin O. Hultman, Chairperson  
Speaker Delwyn Stromer, Vice Chairperson  
Lieutenant Governor Terry Branstad  
Senator James E. Briles  
Senator C. Joseph Coleman  
Senator C. W. Hutchins  
Senator Lowell L. Junkins  
Senator William D. Palmer  
Senator Richard R. Ramsey  
Representative Robert T. Anderson  
Representative Donald D. Avenson  
Representative John H. Clark  
Representative John H. Connors  
Representative Gregory D. Cusack  
Representative Ingwer L. Hansen  
Representative Lester D. Menke  
Representative Lawrence Pope  
Representative Richard W. Welden

Other persons present for the meeting were:

Mr. Gerry Rankin, Legislative Fiscal Director  
Mr. Bill Angrick, Citizen's Aide  
Mr. Serge Garrison, Director of the Legislative Service Bureau  
Ms. Billie Walling, House of Representatives Finance Office  
Ms. Henrietta Macaulay, Capitol Tour Guide  
Mr. Burnette Koebernick, Legislative Service Bureau  
Ms. Diane Bolender, Legislative Service Bureau

(Also present were a number of other Iowa legislative staff persons, news media representatives, and other interested individuals.)

Chairperson Hultman asked that on page 1, line 1, of the minutes of the June 26, 1981 meeting, the word "fourth" be changed to the word "fifth". Representative Avenson moved that the minutes of June 26 be approved as corrected. Representative Hansen seconded the motion, and it carried.

Representative Avenson moved that the Legislative Council receive the educational leave report. Speaker Stromer seconded the motion, and it carried.

The Legislative Council recessed at 10:40 a.m. until 11:05 a.m. in order for the Service Committee to meet. Upon reconvening, Chairperson Hultman called upon Mr. Garrison for comments concerning correspondence addressed to the Legislative Council and dated June 29, 1981, relating to procedures to be followed for consideration of a third redistricting plan and the submission of amendments to such a plan. Mr. Garrison explained that the function of the Legislative Service Bureau with regard to the drafting of the three plans is an exception to the normal functions of the Bureau since it calls for a policy decision, and the Bureau normally only carries out directions and puts into legal language the policies requested by legislators or legislative committees. He expressed the belief that the Legislative Service Bureau should not draft any plans for any committee or any individual member unless the committee or the individual member provides the Service Bureau with specific directions for the districts. He noted that the Statement of Policy of the Legislative Service Bureau controls the priority of bill drafting and research requests. A copy of the letter is attached and by this reference made a part of these minutes. Senator Briles moved that the Legislative Council adopt the recommendations of Mr. Garrison concerning submission of amendments to the third redistricting plan, as stated in correspondence to the Legislative Council, dated June 29, 1981. Representative Hansen seconded the motion and it carried.

Chairperson Hultman announced that the second special session of the General Assembly will convene on August 12, 1981. He explained that Mr. Garrison has stated that he will have copies of Plan III ready for distribution around July 24, 1981. Representative Connors moved that subcommittees of the Committees on State Government be given two meeting days to review the plan and make their recommendations to their full committees. They may meet jointly or separately and should meet as soon as possible following July 24. Senator Junkins moved that Representative Connor's motion be amended to also authorize each Committee on State Government to meet one day and receive its subcommittee report. Senator Junkins' motion was adopted, and Representative Connor's motion was adopted as amended.

Chairperson Hultman called for a report of the Service Committee. Speaker Stromer stated that the Service Committee recommends that the Legislative Council approve the joint purchase of a new Xerox machine by the Legislative Service Bureau and the Legislative Fiscal Bureau. Mr. Garrison explained that cost savings can be effected if a new Xerox machine with the ability to collate, staple on-line, and copy on both sides of the paper is purchased. He opined that it will eliminate the need for outside printing and will result in a personnel savings. Representative Menke asked whether it is less expensive to purchase a machine than to lease the machine. Mr. Garrison responded in the affirmative. Speaker Stromer moved the proposal, and it carried.

Speaker Stromer stated that the Service Committee upheld on a two-to-two vote the Legislative Council action taken on June 26, 1981 adopting the salary schedule of the Legislative Service Bureau as proposed by Mr. Garrison. Representative Connors stated that he believes that the salary schedule of the Legislative Service Bureau should be administered in the same manner as the salary schedules for employees covered under collective bargaining agreements. He explained that under the collective bargaining agreement, those persons who previously had been on step 1 of a grade would be entitled to an additional 5 percent salary increase, based upon the elimination of step 1 for each grade for the fiscal year beginning July 1, 1981. He expressed the belief that the result was the intent of both the labor and management sides who were party to the collective bargaining agreement.

Chairperson Hultman asked for comments from Mr. Garrison. Mr. Garrison explained that two employees of the Service Bureau were reclassified as of January 1, 1981 from Attorney I to Attorney II and received additional salary increases as a result of the reclassification. He expressed the belief that it would be unjust to other Bureau employees if these employees receives more than the 8 percent prescribed by law, and it would be necessary to reduce other employees' salaries in order to provide the additional salary increase. Representative Connors motion failed with eight affirmative votes by Senators Coleman, Hutchins, Junkins, and Palmer, and Representatives Anderson, Avenson, Connors, and Cusack and nine negative votes by Chairperson Hultman, Speaker Stromer, and Senators Briles and Ramsey, and Representatives Clark, Hansen, Menke, Pope, and Welden.

Speaker Stromer reviewed the recommendations of the Service Committee relating to the tour guides which were that Joan Judkins be made a permanent full-time employee (and thus eligible for full health insurance coverage) and that Henrietta Macaulay's salary after July 3, 1981 be raised to \$6.45 per hour, which involves the 8 percent salary increase plus an increase equal to the cost of health insurance for one year prorated on the basis of a 20-hour per week work schedule. The recommendations also included making no changes for the other two tour guides, except for the 8 percent salary increase, and continuation of the proration of vacation and sick leave.

Representative Connors asked whether the tour guide recommendation will result in increased cost. Speaker Stromer responded in the negative.

Speaker Stromer moved that the recommendations relating to the tour guides be adopted. The motion carried.

Representative Welden gave the report of the Legislative Fiscal Committee, a copy of which is attached to and by this reference made a part of these minutes. Representative Cusack noted that the report lists as part of the interim schedule for committees and appropriations subcommittees, and Advisory Commission on

Appropriate Uses of Womens Correctional and State Juvenile Institutions. He asked whether the members have been appointed by the Legislative Council. Representative Avenson moved that the floor leaders be given the discretion to make the appointments to the Advisory Commission in order to meet the time frame of an August deadline. Representative Anderson asked whether the appointments should be nonlegislative. Representative Cusack responded that it was his belief, and the belief of other members of the subcommittee that developed the legislation, that the members would be nonlegislative. Representative Avenson's motion carried.

With regard to the Legislative Fiscal Committee report, Representative Avenson noted that the state financial report indicates that interest receipts for the fiscal year exceeded the original estimate by \$14,000,000, and he expressed the belief that this additional interest earnings was available because school districts received state aid on a monthly basis, rather than a quarterly basis as provided by law. Representative Welden interjected that the additional interest earnings can be partially attributed to the monthly payment of state school aid, but there are other factors, such as higher interest rates. Representative Avenson asked for information about the costs to school districts of receiving state aid on a monthly basis.

Representative Welden moved the adoption of the Legislative Fiscal Committee report, and the motion carried.

Chairperson Hultman called for a report of the Studies Committee. A copy of the Studies Committee report is attached and by this reference made a part of these minutes.

Representative Cusack noted that the Studies Committee has recommended a single study of elderly abuse and elderly service programs, with an authorization for two meetings. He expressed the belief that it is not possible for a single committee to adequately study both elderly abuse and elderly service programs, and he believes each of the two topics deserve its own committee with at least two days each. Representative Pope expressed the belief that the committee chairpersons can determine whether the elderly topics should be divided and whether additional days are needed. Representative Cusack expressed the belief that the committee chairpersons should have been consulted prior to the recommendations and should have indicated how they would develop a study of elderly problems.

Representative Hansen asked about the study of small business problems, and noted that it had only been given one day. Representative Pope stated that it is anticipated that the study could include review of the feasibility of one-stop licensing and other problems of small businesses in their relations with government. Representative Avenson said that the subcommittee might consider the establishment of the information clearinghouse for small businesses.

Senator Hutchins asked for more information about the education proposal. Representative Pope responded that the Studies Committee anticipated one full committee meeting to serve as a learning process for members relating to the operation of the school foundation plan. He added that it was anticipated that one subcommittee would study the problem of school requirements and the second subcommittee would look at problems in the foundation aid formula. He commented that the Legislative Fiscal Committee has indicated that the Education Visitation Committee will look at the area of area school funding. Representative Welden added that the proposal relating to the study of area school funding was adopted by the Legislative Council as a part of the Legislative Fiscal Committee report made on June 23.

Representative Avenson moved that the report of the Studies Committee be amended to add the establishment of an interim study of a joint subcommittee of the Ways and Means Committees to meet for two days with five members from each house, to review changes in the cigarette tax as passed, especially changes in the fair trade clause. Senator Ramsey expressed the belief that such a study is premature. Representative Pope asked what an interim committee could determine and what data could be collected. Representative Avenson responded that information could be collected relating to the effect of the Act on the industry and the effect of the repeal of the fair trade laws for this area. Lieutenant Governor Branstad responded that the Small Business Problems Subcommittee could look at the cigarette tax problem. He also commented that he has received a report from the cigarette industry relating to the effects of the changes in the cigarette tax and he believes it is premature to analyze the problem during the current interim. On a show of hands, Representative Avenson's motion lost with six affirmative votes and eleven negative votes.

Representative Anderson moved that the Small Business Problems Subcommittee be granted three days, rather the single day recommended by the Studies Committee. Representative Pope stated that it was the intent of the Studies Committee that the Small Business Problems Subcommittee would organize, develop a work plan, and then request additional days from the Legislative Council.

Representative Cusack asked Representative Pope about the criteria used in determining the numbers of days of meetings and the sizes of the study committees. Representative Pope responded that members of the Studies Committee and leadership had held conversations with committee chairpersons and had developed recommendations on this basis. He commented that the tasks of a number of the recommended studies can be readily identified and the number of days determined, but for other studies such conclusions cannot be drawn at this time and, in those cases, a single day was recommended. Representative Cusack expressed the belief that the productivity of interim studies could be increased immeasurably if the committee chairpersons conversed with other members of their committee, suggest work plans, and develop a manner of proceeding with the study, before the Legislative Council takes action to approve studies.

Representative Anderson's motion to increase the number of days of the Small Business Problems Subcommittee was defeated on a voice vote.

Representative Avenson moved that the Legislative Council establish a joint interim subcommittee of the members of the Ways and Means Committees, composed of five members from each house, to meet for three days to study tax incentives for soil conservation measures and preservation of natural resources. Representative Pope expressed the belief that the topic is of continuing interest to members of the Ways and Means Committee in the House, and a special interim study in this area is not necessary. Representative Avenson's motion was defeated on a voice vote.

Representative Anderson moved that the report of the Studies Committee be amended to add the establishment of a joint subcommittee of members of the Committees on State Government and the Committees on Appropriations, composed of five members from each house, to meet for three days, to study the recommendations resulting from program evaluations and the Governor's Economy Committee recommendations in order to achieve a greater economy in state government. Representative Anderson's motion was defeated on a voice vote. Representative Pope moved the adoption of the Studies Committee report. The motion carried.

Representative Pope moved that a committee of the Legislative Council be established to monitor the development of the block grants by the United States Congress and that this committee work in cooperation with local governments and the Governor's Task Force and other committees created by the executive branch to monitor the establishment of block grants. He asked that the committee be composed of the Lieutenant Governor, the Speaker of the House, the majority and minority leaders of the Senate and House, the chairpersons of the Committees on Ways and Means and Appropriations, and the ranking minority members of the two Committees. The motion carried.

Representative Menke suggested that the chairpersons of the various standing committees be contacted prior to the convening of the special session about the proposed studies so that they can develop the manner in which they wish to proceed with the study. Chairperson Hultman suggested that the information about the proposed studies be sent to the committee chairpersons with a request for membership suggestions and explanation that the members of the joint subcommittees might meet during the special session to determine the scope of their study. Speaker Stromer suggested that information and requests be included in the notification of the special session.

It was noted that the next meeting of the Studies Committee is scheduled for 10:00 a.m., Tuesday, August 11 and the next meeting of the Legislative Council is scheduled for 1:30 p.m. on that day.

Senator Ramsey asked when a decision will be made on whether the General Assembly will require a special session to act upon block grants. Chairperson Hultman said that it appears that it will be approximately the second week in October before it can be determined what actions Congress has taken. Senator Ramsey asked that he be kept informed about the block grant actions. Chairperson Hultman stated that members of the General Assembly will be informed.

The Legislative Council adjourned at 12:30 p.m.

Respectfully submitted,

SERGE GARRISON, Director

DIANE BOLENDER, Senior Research Analyst