

M I N U T E S

STUDIES COMMITTEE

September 17, 1986

PRELIMINARY BUSINESS

Chairperson Avenson called the meeting of the Studies Committee of the Legislative Council to order at 1:25 p.m., September 17, 1986, in Senate Committee Room 22 of the State House, Des Moines. Committee members present in addition to Chairperson Avenson were:

Senator Bill Hutchins
Senator C. Joseph Coleman
Senator Lee Holt
Senator Calvin Hultman
Senator James Wells
Representative Bob Arnould
Representative Dorothy Carpenter
Representative Lowell Norland

COMMITTEE MEMBERSHIP

Chairperson Avenson called the Committee's attention to several questions which remained relating to the membership of interim studies previously authorized by the Council. He recommended that the Department of Human Services and Department of Public Health Administrative Rules Study Committee have two public members. He stated that those public members had not yet been identified, and that part of the recommendation would be to authorize the Senate leadership and the House leadership to each appoint one of the public members. Regarding the Education Telecommunications Task Force, Chairperson Avenson noted that there still existed questions as to the nature and number of the Task Force's membership. He stated that it would be his recommendation that the Task Force be composed of three members of the House, appointed by House leadership, three members of the Senate, appointed by Senate leadership, and three public members, appointed jointly by House and Senate leadership from a list which staff was already developing. Chairperson Avenson added that the Task Force had not as yet been authorized meeting days, and suggested that two meetings be authorized. Regarding the Local Government Study Committee, Chairperson Avenson pointed out that a request had been made to add two ex officio members from the Iowa State Association of Counties and the League of Iowa Municipalities. He stated that it would be his recommendation that such ex officio memberships be approved, but that such members would be nonvoting members and would not receive per diem or expenses.

Senator Wells moved that the three suggestions recommended by Chairperson Avenson be approved as Studies Committee recommendations to the Legislative Council. The motion passed unanimously.

NUMBER OF MEETING DAYS

Chairperson Avenson called the Committee's attention to two previously authorized interim studies for which meeting days had not been approved. He stated that it would be his suggested recommendation that the Department of Human Services and Department of Public Health Administrative Rules Study Committee be authorized two meeting days and that the Indigent Health Care Study Committee be authorized three meeting days.

Senator Hultman moved that the suggested recommendations of the Chairperson be approved as Studies Committee recommendations to the Legislative Council. The motion passed unanimously.

REQUESTS FOR EXPENSES FOR OUT-OF-STATE INDIVIDUALS TESTIFYING AT MEETINGS

Chairperson Avenson noted that several formal requests had been received for the authorization of expenses for out-of-state expert witnesses to appear before interim committees. The interim committees making such requests were the River Boat Gambling Study Committee, the Teenage Pregnancies Study Committee, and the Bill of Rights Study Committee. Senator Holt stated that although the requests were probably justified, it was his hope that in-state speakers had been the Committees' first choice, with requests for out-of-state speakers made only after it was determined that no such in-state experts were available. Chairperson Avenson noted that it was his understanding that such was the case. Representative Carpenter expressed agreement with the Chairperson, and went on to point out what she believed were the reasons why these particular committees had made such a request.

Senator Hutchins moved that the authorization of such expenses as requested by these three interim study committees be approved as a recommendation to the Legislative Council. The motion passed unanimously.

ADDITIONAL CHARGE TO THE INDIGENT HEALTH CARE STUDY COMMITTEE

Chairperson Avenson noted that a request had been received to expand the charge of the Indigent Health Care Study Committee to include organ transplant policies. He expressed concern that with the already numerous and important charges to that interim Committee, and considering the limited number of meeting days, it would be difficult for the Committee to handle such an additional charge. Chairperson Avenson suggested that the Studies Committee

recommend against such a charge expansion and leave the Indigent Health Care Study Committee to focus on those charges already mandated.

Senator Hutchins moved that the Committee recommend to the Legislative Council that the charge to the Indigent Health Care Study Committee not be expanded. The motion passed unanimously.

AUTHORIZATION OF ADDITIONAL MEETING DAYS

Chairperson Avenson pointed out that two requests for additional meeting days had been received from the Private Nursery Study Committee (requesting two additional meeting days) and the Water Quality Study Committee (requesting one additional meeting day). Chairperson Avenson stated that although it was not the intent of the Committee to approve requests for additional meeting days wholesale, it was his feeling that those two study committees had shown that such additional meeting days were necessary.

Senator Hutchins moved that the additional requested meeting days be approved and recommended to the Legislative Council. The motion passed unanimously.

TEACHER SALARIES STUDY

Chairperson Avenson noted that the Studies Committee had received a request from the chairpersons of the Teacher Salary Improvement Study Committee for the approval of up to \$1,200 from the funds available under section 2.12 for Dr. George Chambers and Dr. Walter Foley from the College of Education at the University of Iowa to conduct studies on the impact of the infusion of up to \$100,000,000 for increased teacher salaries. Chairperson Avenson stated that it would be his suggestion that the Studies Committee recommend that the Committee co-chairpersons be authorized to negotiate for the best price and subjects for the studies, and that they then return to the Legislative Council for approval of such studies. Senator Hutchins briefly discussed the work being done by the Committee. Senator Hultman expressed his agreement that there needed to be studies conducted on how moneys were presently, and planned to be, expended.

Senator Hutchins moved that the Chairperson's suggested recommendation be approved as a recommendation of the Studies Committee to the Legislative Council. Representative Carpenter raised concerns regarding the lack of knowledge regarding what the qualifications of the individuals were and whether there would be any problem with the time restrictions now facing the work of the Committee. Chairperson Avenson noted that both of the concerns were items which the Committee co-chairpersons would review when negotiating for the studies. The earlier motion by Senator Hutchins carried unanimously.

OVERSIGHT COMMITTEE PURSUANT TO H.F. 2462

Chairperson Avenson pointed out that the Legislative Council had not yet acted upon the creation of an oversight committee pursuant to House File 2462, regarding the education economy task forces. He stated that it would be his recommendation that the Standing Committees on Education use their statutory authority to hold one joint meeting prior to the beginning of next session for the purpose of receiving the reports generated by House File 2462.

Senator Hutchins moved that the recommendation be approved. The motion passed unanimously.

LIVESTOCK STUDY COMMITTEE

Chairperson Avenson stated that at earlier Studies Committee meetings, the issue of the creation of a Livestock Study Committee had not been resolved. He stated that it would be his suggested recommendation that such an interim study committee be created, that it be composed of five Senate members, five House members, and five public members, and that it be authorized two meeting days. He also suggested that the interim committee be instructed to hold its meetings after the passage of the federal tax bill and review the impact of that bill on livestock issues facing the state.

Senator Hutchins moved that the suggested recommendation be approved as a Studies Committee recommendation to the Legislative Council. The motion passed on a voice vote, with Representative Carpenter requesting to be recorded as voting nay.

LEAG

Dr. John Fuller, Executive Director of the Legislative Extended Assistance Group, was recognized to address the Committee.

Dr. Fuller stated that at the preceeding Studies Committee meeting, LEAG had been requested to review the preparation of a livestock study report. He noted that the directions to the LEAG regarding the subject had not been clear. He also noted that LEAG had conducted two similar studies in the recent past and could possibly just update those earlier reports and avoid the cost of reperforming the entire study. He noted that perhaps the Committee's earlier decision to create a Livestock Study Committee might make this point moot, but if the LEAG were to continue work on the proposal, it would need to know whether the Committee wished LEAG to conduct a new study or update the existing studies. Senators Hultman and Hutchins discussed the possibility that LEAG could be requested to assist the Livestock Study Committee, and that the two groups be directed to work together. Senator Hultman moved that the two groups be so directed, with the motion passing unanimously.

Dr. Fuller also pointed out that the LEAG had been authorized to publish a limited number of the Peace Studies Report, but that no motion had been made regarding the costs of such publication. He noted that the expense of the limited publication had been \$550. Senator Hultman moved that LEAG be authorized payment of \$550 to cover the costs of such publication.

PROPOSED CONTRACT WITH PROSECUTING ATTORNEYS RESEARCH COUNCIL

Chairperson Avenson stated that the Committee members had received a copy of a proposal contract with the Prosecuting Attorneys Research Council, pursuant to earlier discussions of the Committee. He asked for and received unanimous consent to recognize Mr. Dan Johnston of the PARC to address the Committee regarding the rationale and proposed process for the contract study.

Mr. Johnston began by noting that two of the major reasons why such studies are necessary is the vast differences between the "same offense" and vast differences between the "same offenders" in OWI. He outlined how the PARC is structured and how the Council approaches such study projects, explaining that it would involve a review of the full range of offenders and offenses, selection of a cross-section of appropriate cases, and then the directing of the cases to policymakers for review. He explained that such an approach brings focus and discipline to the discussion and review. Policymakers can then make recommendations and legislation for appropriate decisions under specific circumstances.

Mr. Johnston explained that the Legislative Council would be funding only half of the cost of the study, with the other half to be raised from private sources. He stated that between now and January 1, the private funds would have to have been raised. If not by then, the study would not take place. He noted that a critical part of the approach would be the advisory group formed in Iowa, giving the study particular relevancy. The key outcome sought would be to better inform legislators, prosecutors, and law enforcement officials; information allowing decision-making based on facts.

Senator Holt opined that there needed to be a county attorney movement toward uniformity. Mr. Johnston noted that the state was moving toward a more uniform approach; for example, its actions regarding license suspension, but with 99 different county attorneys, some policy diversity would continue. However, when you consider the political process of selecting 99 attorneys, diversity is the outcome. He pointed out that the proposed study would help identify which of the various county approaches are most effective and yield the best results. Senator Hutchins moved that the Studies Committee recommend that the contract be accepted. Interest was expressed as to whether Senator Doyle and

Representative Jay, Chairpersons of the Standing Committees on Judiciary, had been informed of the study. Mr. Johnston replied that he had conferred with both Chairpersons, who had expressed interest and support. Chairperson Avenson pointed out that the proposed study would be a good way to determine if the legislative intent of the recent enactments was being fulfilled. Mr. Johnston pointed out that the resulting information and recommendations would also be going to prosecutors and law enforcement so that they too could determine the effectiveness of their approaches.

Senator Hutchin's earlier motion passed unanimously.

ADJOURNMENT

Seeing no further business, Senator Hultman moved and the motion carried unanimously that the Studies Committee adjourn.

The Committee adjourned at 2:07 p.m.

Respectfully submitted,

DAVID LYONS
Legal Counsel