

M I N U T E S
IOWA LEGISLATIVE COUNCIL

May 17, 1989

PRELIMINARY BUSINESS

The second meeting of the 1989-1990 Legislative Council was called to order by Senator Bill Hutchins, Chairperson, at 2:20 p.m., Wednesday, May 17, 1989, in Committee Room 22 of the State House, Des Moines, Iowa. Members attending in addition to Chairperson Hutchins were:

Speaker Don Avenson, Vice-chairperson
Lieutenant Governor Jo Ann Zimmerman
Senator C. Joseph Coleman
Senator Donald V. Doyle
Senator Emil J. Husak
Senator Thomas Mann, Jr.
Senator Joe J. Welsh
Representative Robert C. Arnould
Representative Florence D. Buhr
Representative Kay Chapman
Representative John H. Connors
Representative William H. Harbor
Representative Thomas J. Jochum
Representative Mary A. Lundby
Representative Delwyn Stromer
Representative Harold Van Maanen

Also present were Donovan Peeters, Director, Legislative Service Bureau; Dennis Prouty, Director, Legislative Fiscal Bureau; Bill Angrick, Citizens' Aide/Ombudsman; Sandy Scharf, Director, Computer Support Bureau; Diane Bolender, Deputy Director, Legislative Service Bureau; Janet Wilson, Legal Counsel, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

The Council minutes of the meeting of January 23, 1989, were approved as distributed.

STATUS OF 1988 INTERIM STUDY COMMITTEE FINAL REPORTS

Chairperson Hutchins called attention to a memorandum providing information concerning the current status of the 1988 interim study committee final reports. A copy of the memorandum is attached and, by this reference, made a part of these minutes.

REVIEW OF AMENDMENT TO COURT RULES

Chairperson Hutchins stated that the Supreme Court has submitted a report concerning an amendment to Iowa Rule of Civil Procedure 144. Senator Doyle explained that the rule relates to the use of depositions at trials and hearings and the amendment allows the use of depositions taken of certain expert witnesses and health care practitioners. He said there may be need for the Supreme Court to clarify the term "health care practitioner", but he recommended against action by the Council to delay the effectiveness of the amendment. The Council received the report of the amendment and took no action to delay its effectiveness.

REPORT OF THE SERVICE COMMITTEE

Representative Connors presented the report of the Service Committee. A copy of the report is attached and, by this reference, made a part of these minutes.

By unanimous consent a correction was made in Item 12 to provide that advertising for the position of Director of the Legislative Service Bureau be conducted by the Chairperson of the Legislative Council and his staff rather than by the Legislative Service Bureau.

Senator Welsh moved that Item 1 be amended to provide that the Computer Support Bureau shall not fill its vacancy for a computer software analyst until after the subcommittee to study personal computer options has submitted its report. The motion was adopted.

In response to a question from Representative Harbor concerning Item 11, Representative Connors explained that the \$3,000 per year salary increase recommended for the Deputy Director of the Legislative Service Bureau while serving as Acting Director would not bring the salary of the Deputy Director to the level of Director. Rather, the recommendation is based on the policy followed on the last occasion a Deputy Director served as Acting Director.

Representative Connors moved the adoption of the report and the recommendations contained in the report. The motion was adopted.

Chairperson Hutchins recognized Mr. Peeters for comments regarding his letter of resignation as Director of the Legislative Service Bureau. (A copy of the letter is included as part of the Service Committee's report, attached.) Mr. Peeters described more fully the nature of his new business, which specializes in identifying small business venture capital opportunities. He said that although the letter of resignation largely speaks for itself, he wanted to emphasize his thanks to the employees of the

Legislative Service Bureau and to Representative Connors and Senator Welsh with whom he has worked closely in their positions as chairs of the Service Committee.

Chairperson Hutchins, speaking on behalf of the Council, thanked Mr. Peeters for his service as Director and wished him well in his new endeavor.

REPORT OF THE STUDIES COMMITTEE

Speaker Avenson presented the report of the Studies Committee. A copy of the report is attached and, by this reference, made a part of these minutes.

Speaker Avenson noted that there are two carryover studies from 1988 (Higher Education Task Force and Correction System Review Task Force); three studies have been mandated from the 1989 session and the Studies Committee recommends the addition of fifteen additional studies. The Fiscal Committee is to report to the Council by June 15 on how to proceed with respect to the studies involving (1) Assessment of staffing levels and personnel practices at institutions under the jurisdiction of the Department of Human Services and (2) Assessment of the effectiveness of the New Jobs Training Program. For the study on non-gender based insurance, the study committee is to report to the Council prior to August 1 regarding recommendations for consultant services or other resources needed for the study.

The report of the Studies Committee includes the recommended composition of each committee, the recommended number of meeting days, and scheduling and other guidelines. Speaker Avenson emphasized that all committee meetings are to be held in accordance with the scheduling guidelines adopted by the Legislative Council and none are to be held later than November 1, 1989.

Representative Stromer questioned whether the study committee recommended for the pension tax equity study and the statutory Public Retirement Systems Committee should work independently of one another. Speaker Avenson responded that the issues are different for the two committees; one deals with taxation and the other with benefits. He noted that the tax imposed by Senate File 539 sunsets on January 1, 1990, and there are a number of tax-related issues which must be considered for early action in the 1990 legislative session. Chairperson Hutchins added that he expects that some of the appointees to the Pension Tax Equity Committee will also be members of the Public Retirement Systems Committee.

Representative Stromer noted the absence of a study relating to the moratorium on home schooling. Speaker Avenson responded the Department of Education will be working on that issue. Representative Stromer said he will submit a request later if he determines that a legislative study is needed.

Senator Welsh asked whether the composition of the committee to study secondary and farm-to-market roads is set forth in Senate File 524. Speaker Avenson said the bill requires that a majority of the members be representatives of the counties. The Council is to appoint the citizen members as well as the legislative members.

Representative Stromer stated that he may be submitting written requests for additional studies. Topics mentioned included tort reform and medical malpractice.

Speaker Avenson moved the adoption of the report of the Studies Committee and the recommendations contained in the report. The motion was adopted. It was noted that the bipartisan leadership will make the appointments to membership on the study committees.

TENTATIVE MEETING SCHEDULE

Chairperson Hutchins called attention to the list of tentative meeting dates for the Legislative Council in 1989. A copy of the list is attached. The next meeting is tentatively scheduled for Wednesday, June 21.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 2:50 p.m.

RESPECTFULLY SUBMITTED,

DONOVAN PEETERS,
Secretary to the Legislative Council

JANET L. WILSON,
Senior Legal Counsel