

M I N U T E S

LEGISLATIVE COUNCIL

September 11, 1974

The fifteenth meeting of the 1973-74 Iowa Legislative Council was called to order at 10:10 a.m., Wednesday, September 11, 1974 in the Speaker's Room of the State House. Council members present were:

Senator Clifton C. Lamborn, Chairman
Representative Edgar H. Holden, Vice Chairman
Lt. Governor Arthur A. Neu
Speaker Andrew P. Varley
Senator James E. Briles
Senator Lucas J. DeKoster
Senator Willard R. Hansen
Senator Eugene M. Hill
Senator John S. Murray
Senator Karl Nolin
Senator Roger J. Shaff
Senator Earl M. Willits
Representative Dale M. Cochran
Representative Donald V. Doyle
Representative Richard Drake
Representative James I. Middleswart
Representative Delwyn Stromer

Legislative staff personnel present included Director Serge Garrison, Senior Research Analysts Phil Burks and Thane Johnson, Senior Legal Counsel Burnette Koeberneck and Legal Counsel Robert Egge of the Legislative Service Bureau, Legislative Fiscal Director Gerry D. Rankin, Assistant Legislative Fiscal Director C. David Bolender, Secretary Ralph Brown, Legal Counsel William Trent and Ralph Kauffman, Administrative Assistant to the Majority Leader, of the Senate staff, and Assistant Chief Clerk of the House David Wray. A number of representatives of the news media and other interested persons also attended the meeting.

Chairman Lamborn noted that the minutes of the August 7 Council meeting, and of the meeting of the Council's Administration Committee held on the previous day had just been distributed to Council members. He added that, unless there was objection, the reading of the minutes would be dispensed with. No objection was raised.

It was also noted that a Legislative Service Bureau staff research memorandum "The 1974 Reorganization of the Department of Social Services" had been distributed to Council members as they

arrived at the meeting. At the Chairman's request, Mr. Burks briefly outlined the contents of the report.

Copies of two letters from the firm Frank Pulley Associates, Incorporated to Mr. John Drummond, State Superintendent of Buildings and Grounds, both dated August 30, 1974 and relating to the air conditioning of the Senate and House of Representatives chambers, were distributed to Council members. A copy of each letter is attached and by this reference made a part of these minutes.

The first letter recommends approval of a change order in the amount of \$585.00 in accordance with the proposal by the contractor Waldinger Corporation, as explained in the letter. On motion of Senator DeKoster, seconded by Senator Briles, the Council unanimously approved the recommended change order.

The second letter recommends payment in the amount of \$30,576.00 to the Waldinger Corporation in final settlement for the work contracted for in connection with air conditioning of the Senate and House of Representatives chambers. Noting that Mr. Pulley had expressed the view that the work contracted for has been completed, except for what may be required under the warranty, Chairman Lamborn inquired of Senate and House staff personnel present whether the newly installed air conditioning system is operating satisfactorily. Mr. Brown and Mr. Wray stated that it appears that the system is operating satisfactorily with respect to the Senate and House chambers themselves, but that some of the offices located near the respective chambers and which are also served by the new air conditioning system are receiving too much or too little cooling. They added that efforts to balance this portion of the system satisfactorily are continuing.

After a brief discussion, Speaker Varley moved that the Council authorize the final payment to the Waldinger Corporation recommended by Mr. Pulley, subject to approval of the Secretary of the Senate and Chief Clerk of the House at such time as these officers are satisfied with the operation of the entire system. The motion was seconded by Senator Willits, and unanimously adopted.

At the request of Chairman Lamborn, Mr. Wray reported on progress in the installation of the new electronic voting systems in the Senate and House of Representatives. He stated that the systems will be in place by October 1, and will be operable on that date if the contractor succeeds in securing certain pieces of equipment which he has experienced some difficulty in obtaining. Mr. Wray also noted that some concern has been expressed by various legislators and others regarding the appearance of the display panels used in connection with the new voting system. He explained that as installation is completed, finish wood will be installed around these panels so that they will blend in with the traditional decor of the Senate and House chambers.

Copies of a memorandum from Mr. Brown to the Legislative Council, relative to possible elimination of the corrected journal, were distributed to Council members. This matter had previously been discussed at some length by the Council's Legislative Administration Committee. (See minutes of Administration Committee's June 27, 1974 meeting.)

Senator Murray stated that he supports elimination of the corrected journal, on the ground that it appears that this step may save a substantial sum of money and the General Assembly should set an example in this regard for other agencies of state government. He added that while he would prefer to see the change made in both houses immediately, he would accept elimination of only the corrected Senate Journal on a trial basis for the 1975 session.

Speaker Varley indicated he is willing to accept elimination of the corrected Senate Journal only, on a trial basis, but that he is basically opposed to elimination of the corrected journal. He argued that the projected savings are likely to be illusory, because the proposal contemplates requiring the printer to reprint those particular daily journals which contain "major" errors, and the printer will have to protect himself against this cost when figuring his bid on the contract for legislative printing. Speaker Varley added that the definition of what constitutes a "major" error is likely to be somewhat subjective, adding that a mistake in recording the vote of one member on a roll call may not seem to be a "major" error but that it is nevertheless potentially quite embarrassing to that particular member. Therefore, it is likely that whenever such an error occurs there will be a request for reprinting of that day's journal.

In response to questions from Senator DeKoster, Mr. Brown stated that the proposal for elimination of the corrected journal contemplates the printing of an errata sheet to be attached to the following day's journal which would indicate errors that have been discovered in the preceding day's journal. However, the bound volume of the journals for an entire session would not contain these errata sheets, but rather would be printed only after correction of the errors that have been discovered in the daily journals. Senator DeKoster then observed that if the elimination of the corrected daily journal would not allow the printer to avoid resetting the type for those pages of the daily journal in which errors are discovered, before the printing of the bound volume is begun, then the saving which could be made would probably be quite limited.

Mr. Brown explained that the major saving which could be effected is the charge which the printer makes for removing the pages of print from the press, inserting corrected typeslugs, and returning the corrected page forms to the press for printing of the corrected journal. Mr. Brown stated that the charge for these particular operations is \$5.50 per page, commenting that he personally considers this charge rather high.

After further discussion, Senator Murray moved that printing of the corrected daily journals be eliminated for the 1975 and 1976 sessions of the General Assembly. The motion was seconded by Senator Hansen.

Speaker Varley moved to amend Senator Murray's motion so that only the Senate would eliminate printing of the corrected daily journals for the 1975 session. The motion to amend was seconded by Representative Stromer, but lost on a roll call vote of 8 to 8. Those voting yes were Speaker Varley, Senators Hansen, Murray and Willits, and Representatives Cochran, Doyle, Drake and Stromer; those voting no were Chairman Lamborn, Vice Chairman Holden, Senators Briles, DeKoster, Hill, Nolin, and Shaff and Representative Middleswart.

Senator Murray's original motion was then defeated by a roll call vote of 6 to 10. Those voting yes were Senators DeKoster, Hansen, Murray, Nolin, and Shaff and Representative Cochran; those voting no were Chairman Lamborn, Vice Chairman Holden, Speaker Varley, Senators Briles, Hill and Willits and Representatives Doyle, Drake, Middleswart and Stromer.

Chairman Lamborn recognized Senator E. Kevin Kelly, Chairman of the Penal and Correctional Systems Study Committee, who had arrived at the Council meeting a few minutes earlier. Senator Kelly stated that it was his purpose to present four requests on behalf of the Study Committee.

The first request was that the Council approve reimbursement to the state Penitentiary at Fort Madison for certain extraordinary expenses which would be incurred in connection with the attendance at meetings of the Penal and Correctional Systems Study Committee by an advisory member selected to represent inmates at the Penitentiary. Senator Kelly explained that while the Study Committee has found the participation of such advisory members of considerable value to its deliberations in the past, the Fort Madison Penitentiary has been willing to permit only those individuals classified as minimum security prisoners to serve with the Study Committee in this capacity. Senator Kelly added that each of the Fort Madison prisoners chosen to serve as advisory members of the Study Committee were immediately transferred to the Newton Release Center, to facilitate their attendance at meetings in Des Moines, and thereby lost day-to-day contact with the prisoners whom they were supposedly representing on the Study Committee. Senator Kelly continued that after discussions with officials of the Department of Social Services and the Penitentiary, agreement has been reached that an individual classified as a medium security prisoner will be allowed to serve as an advisory member of the Study Committee and to remain inside the walls of the Penitentiary while he serves in this capacity, so that he will be able to maintain daily contact with other prisoners at the Penitentiary. Under Penitentiary policy, this will necessitate the prisoner so chosen being escorted to and from Study Committee meetings by a driver and a guard drawn from the Penitentiary staff; Senator Kelly noted that these individuals

would not be in the meeting room while the meeting is in session. Senator Kelly explained that it is likely that the Penitentiary will have to call in personnel who would not otherwise be on duty to escort the prisoner to Study Committee meetings, and that because of the distance from Fort Madison to Des Moines each of these individuals will probably put in about 14 hours of duty on any day when the Study Committee meets, which means under current federal requirements they will have to be paid for 6 hours at time and a half rates. Senator Kelly stressed that the Penitentiary had not asked for reimbursement of these extraordinary expenses, but that recognizing that inflation is placing pressure on the Penitentiary's budget as it is on those of other state agencies, he had volunteered to come before the Council and seek reimbursement of these extraordinary expenses.

There was some discussion of whether the value of an inmate-advisory member's contribution to the Study Committee's deliberations justifies the proposed additional expense, Senator Kelly arguing strongly that the expense is well justified. Representative Drake observed that it would be far simpler to permit payment of a flat rate to the Penitentiary to cover extraordinary expenses, rather than attempting to maintain a detailed account of the expenses so incurred.

Representative Drake therefore moved that the Council authorize reimbursement of the State Penitentiary for extraordinary expenses incurred in connection with attendance of an inmate-advisory member at meetings of the Penal and Correctional Systems Study Committee during the balance of the 1974 legislative interim at a rate of \$80.00 per day, for a maximum of five meeting days. The motion was seconded by Senator Willits, and unanimously adopted.

Senator Kelly noted that during the 1973 interim the Council had assigned to the Penal and Correctional Systems Study Committee responsibility for a review of the juvenile justice system. He stated that the Study Committee had not found time to examine this matter in any detail until the 1974 interim, and briefly reviewed the present methods of handling juvenile cases in Iowa, which he noted vary somewhat from place to place within the state. He added that the Study Committee is interested in the possibility of establishing a family court system in Iowa, and would like to bring Judge Ted Rubin of New York, a noted expert in this area, to Iowa to discuss the matter with the Study Committee. Senator Kelly therefore requested that the Council approve reimbursement of travel, lodging and meal expenses for Judge Rubin for this purpose.

Senator Hill objected to the request on the ground that Judge Rubin's views are available in print, and that there are knowledgeable judges in Iowa who can discuss the family court concept with the Study Committee. Senators Nolin and DeKoster supported the request, explaining they believe there is value in having an opportunity to put questions to and enter into discussion with experts such as Judge Rubin.

Senator DeKoster moved that the Council authorized the Penal and Correctional Systems Study Committee to pay expenses incurred by Judge Rubin in coming to Iowa to meet with the Study Committee, it being specified that this authority should not extend to payment of a fee in addition to expenses. The motion was seconded by Senator Nolin and adopted by a voice vote, Senator Hill and Representative Drake voting no.

Senator Kelly reported that Senators Minnette Doderer and Forrest Schwengels are presently in Kansas City attending a conference on child abuse sponsored by the federal government, which is paying the expenses of the invited participants including travel to and from Kansas City. Senator Kelly noted that he himself had been invited to participate, but had been unable to do so and had arranged for Senator Schwengels to attend in his place. He requested that the Council authorize payment of per diem to Senator Doderer and Senator Schwengels for participation in the Conference. Senator Nolin moved that the request be approved. The motion was seconded by Representative Drake, and unanimously adopted.

Senator Kelly stated that an annual meeting on Volunteers in Probation is to be held in Tampa, Florida during the last week in October, and that Representative Doyle is chairman of one of the conference's committees. Senator Kelly therefore requested that the Council authorize payment of expenses for attendance at the conference by Representative Doyle and one Legislative Service Bureau staff member. Representative Doyle noted that Volunteers in Probation is a part of the National Council on Crime and Delinquency.

Mr. Garrison said that while he did not question the value of the conference on Volunteers in Probation, in view of the Service Bureau's overall workload it is not at all certain that any staff person can be released to attend the conference in Tampa.

Senator Willits moved that the Council approve travel and expenses for Representative Doyle and one legislative staff person, if available, to attend the conference on Volunteers in Probation at Tampa. The motion was seconded by Senator DeKoster and unanimously approved.

Senator Kelly reported that the Study Committee had decided that it would be advisable to visit each of the nine state institutions whose programs and services fall within the jurisdiction of the Study Committee's concerns. It is proposed to visit these nine institutions in the course of a series of meetings which would cover seven business days, and would naturally entail considerable travel. It was felt that in view of the cost involved, the Study Committee should seek specific approval in advance from the Council.

Representative Drake inquired why it would not be preferable to send a subcommittee to visit each of the

institutions. Senator Kelly responded that the Study Committee does use a type of subcommittee arrangement, under which the membership of the subcommittees is flexible and, in effect, each member of the Study Committee who wishes to visit any given institution may do so. Senator Kelly added that the interest of the Study Committee members is such that most of them usually visit each of the institutions.

Senator Shaff inquired whether the Fiscal Committee's Human Resources Visitation Committee has visited any of the institutions to which the Penal and Correctional Systems Study Committee proposes to travel. Senator Murray replied that this visitation committee has already visited the Women's Reformatory at Rockwell City during the present interim, and would be visiting the Anamosa Reformatory and Fort Madison Penitentiary during the following week. Senator DeKoster noted that the orientations of the visitation committee and the Study Committee are not necessarily the same, although he acknowledged that the program of visits contemplated by the Study Committee is an expensive proposition. He added that the attitude of Council members on the question at hand may be shaped to some degree by whether or not they feel that the Penal and Correctional Systems Study Committee should be regarded as a continuing body with oversight responsibilities. Senator DeKoster commented that he personally would prefer that policy.

After further discussion, Senator Murray suggested that the Council might approve only visits by the Study Committee to the state juvenile institutions, since that is the area to which the Study Committee is apparently giving greatest emphasis this interim. Chairman Lamborn commented that even if the Council were to approve visits to all nine institutions, it is likely that the Study Committee would have difficulty in finding the time to make all of these visits. He therefore urged Senator Kelly to give priority to visits to the juvenile institutions.

Speaker Varley moved that the Council approve a maximum of four meetings of the Penal and Correctional Systems Study Committee for the purpose of visiting state institutions, with the understanding that the Study Committee will visit the state juvenile institutions first. The motion was seconded by Senator Briles.

Senator Hill stated that while he is willing to support Speaker Varley's motion he has reservations regarding possible overlap among the roles of the Study Committee, the Fiscal Committee and the Standing Committees on Judiciary.

Speaker Varley's motion was then adopted by a unanimous voice vote.

Noting that the Council had previously authorized him to employ a fourth terminal operator for the Legislative Service Bureau, Mr. Garrison requested specific approval of the employment

of Roberta Hammes to fill this position at a starting salary of \$6,300 per year. On motion of Senator Briles, seconded by Representative Cochran, the employment of Ms. Hammes was unanimously approved.

Mr. Garrison reported that he had been requested by the Postsecondary Education Funding Study Committee to seek authorization by the Council for one legislative member and one staff person to attend the Regional Conference on Financing Postsecondary Education, to be held October 30-31 in Denver, Colorado. This Study Committee also requests approval of the appointment of State Comptroller Marvin Selden as a citizen advisory member of the Study Committee. On motion of Senator Hill, seconded by Senator Briles, these requests were approved by an unanimous voice vote.

The meeting was recessed for lunch at 12:00 noon, and reconvened in the Speaker's Room at 1:30 p.m. with all Council members who had attended the morning session again present except Senator Nolin. Several Legislative Service Bureau staff members who had not attended the morning session were present during portions of the afternoon session in connection with the presentation of progress reports from Study Committees and Joint Interim Subcommittees.

Chairman Lamborn recognized Senator DeKoster to present the report of the Legislative Fiscal Committee, pursuant to the Committee's meeting of the previous day. A copy of the Fiscal Committee's report is attached to and by this reference made a part of these minutes. Senator DeKoster briefly reviewed the report.

Senator DeKoster moved that the Council authorize Mr. Rankin to attend the Mid-America Intergovernmental Audit Forum in Kansas City, Kansas on September 24-25. The motion was seconded by Senator Briles and unanimously adopted.

Senator DeKoster noted that the Fiscal Committee had failed, by a vote of 3 to 2, to recommend to the Council authorization for Mr. Rankin to attend the National Association of Tax Administrators Conference on Revenue Estimating, to be held in Juneau, Alaska on October 20-23. Senator DeKoster stated that while he felt bound to report the Fiscal Committee's action to the Council, he personally does not agree with the action and would favor sending Mr. Rankin to the conference. He stated that revenue estimating is difficult enough at best, and that the State of Iowa can use all the information that is available in this critical area.

Senator Hill termed the Juneau conference basically a tax administrator's meeting, and stated that he opposed authorization for Mr. Rankin to attend because Mr. Rankin is not a tax administrator. Senator Hill also noted that the Fiscal Committee has approved several out-of-state trips for Mr. Rankin and members of his staff this year.

After further discussion, Representative Drake moved that the Council authorize Mr. Rankin to attend the National Association of Tax Administrators Conference on Revenue Estimating in Juneau. The motion was seconded by Senator Briles, and Chairman Lamborn called for a roll call vote. The vote on the motion was 10 ayes, 3 nays and one pass. Those voting yes were Chairman Lamborn, Vice Chairman Holden, Senators Briles, DeKoster, Hansen, Murray, Shaff and Willits and Representatives Drake and Stromer; those voting no were Senator Hill, and Representatives Cochran and Middleswart; Representative Doyle passed. As the Council's rules require 11 affirmative votes on any action other than adjournment or recess, Chairman Lamborn declared the motion lost. (See later action at close of these minutes.)

On motion of Senator DeKoster, seconded by Senator Willits, the report of the Fiscal Committee was accepted.

Mr. Garrison noted that brief progress reports from each of the legislative study committees established by the Legislative Council had been distributed to Council members earlier in the day. Copies of these reports are on file with and may be obtained from the Legislative Service Bureau. Each of the progress reports was reviewed by one of the Legislative Service Bureau staff persons assigned to the respective study committees. Council members directed a number of questions regarding the progress of various legislative studies to the respective staff persons, and to other Council members who serve on various study committees.

Vice Chairman Holden assumed the chair at 2:30 p.m., it being necessary for Chairman Lamborn to leave the meeting at that time.

Vice Chairman Holden recognized Mr. John Millhone, Director of the Energy Policy Council, who had arrived at the meeting a few minutes earlier. Mr. Millhone was present to discuss the need for a study relating to a moratorium on the construction of nuclear power plants, and the operation of the Energy Policy Council. Mr. Millhone distributed to Council members copies of a document entitled "Proposed Approach to Nuclear Moratorium Issue". A copy of the document is attached to and by this reference made a part of these minutes.

Vice Chairman Holden inquired what should be the qualifications of the research coordinator contemplated by item #4 under the heading "Recommendations for Immediate Action". Mr. Millhone replied that it would be this individual's role to organize information, and to identify alternative conclusions but not to express nor urge the choice of any one of these alternative conclusions. That is, the formation of policy should be left entirely to the Energy Policy Council.

Lieutenant Governor Neu inquired whether nuclear power plant siting is the only real issue which the state should consider from the standpoint of ability to take meaningful legislative

action. Mr. Millhone said that another aspect of nuclear power plant construction and operation which the Legislature may wish to consider regulating is the transporting of nuclear waste. He also stated that after full investigation it conceivably might be concluded that the true cost of nuclear generation of electrical energy would be so high that the rate-payers of Iowa should not be burdened by developing this kind of energy resource. In that case, a policy declaration to that effect by the Legislature might prove very influential.

Lieutenant Governor Neu then asked Mr. Millhone whether the last sentence of his prepared presentation is to be construed as a request to the Legislative Council to fund a portion of a study on the nuclear moratorium issue at this time. Mr. Millhone replied in the negative, stating that the Energy Policy Council plans to hold a meeting in the near future to design the study which it believes should be made of this matter, and after doing so will report the projected costs of the study to the Legislative Council.

Speaker Varley inquired whether, in its planning for the future, the Energy Policy Council is taking continued growth of total demand for energy as a given factor. Mr. Millhone replied that the Council has formulated three alternative premises for use in studying future energy problems; a 3 percent annual growth in total demand for energy in Iowa (compared to the current annual rate of 3.2 percent), a "flat" line (i.e., no increase in total demand for energy from year to year), and a projected rate of growth in total demand for energy somewhere between the first two premises. Speaker Varley then asked whether, if EPC premises no-growth in energy demand, it would undertake to suggest ways to achieve this objective. Mr. Millhone replied in the affirmative.

After further discussion of the future demand for energy and the suggestion for a moratorium on construction of nuclear power plants, Representative Drake stated that he would like to direct to Mr. Millhone a series of questions relating to arrangements for use of funds appropriated by the 65th General Assembly to assist in providing improved railroad service in Iowa. He inquired whether the EPC has yet committed all of the \$3,000,000 appropriated for this purpose. Mr. Millhone replied that approximately \$2,000,000 has been committed as of the present date. In response to further questions from Representative Drake, he stated that it is anticipated that the bulk of the remaining part of this appropriation will be committed at or prior to the EPC's October meeting, although he added that the Council will probably wish to hold back a limited reserve fund from this appropriation.

Representative Drake next inquired whether it is correct that the money provided to various railroads from this fund is on a loan basis. In response, Mr. Millhone described the procedure used to identify the particular branch railroad lines to be assisted, and arrangements which have been agreed upon in order to get the

maximum benefit from expenditure of this money. He stated that an Iowa branch line improvement fund is to be established as a sort of revolving fund by each railroad company which is assisted, with the respective railroads returning at least a portion of the money they are allocated from the original state appropriation for railroad improvement, to be used for further improving branch railroad lines in Iowa.

Representative Drake inquired whether it is likely that the EPC will ask for additional funds for this purpose. Mr. Millhone stated that if the arrangement to which he had just referred proves satisfactory, it is probably that the EPC will request additional funds. However he added that he does not want to prejudice the effectiveness of this arrangement.

Representative Cochran inquired what sort of formula the EPC uses for return on investment in improvement of branch line railroads, under the revolving fund arrangement just referred to. Mr. Millhone explained that the procedure is based on arrangements under which shippers have, in the past, advanced funds to railroads for improvement of trackage serving those particular shippers. Under the EPC's arrangement traffic over a branch line, which is to be improved by money from the \$3,000,000 appropriation is averaged for the previous three years. The railroad then agrees to set aside into the Iowa branch line improvement fund, for a period of five years, a specified proportion of the revenue derived from the increase in traffic on the line which has been improved. In some areas where potential volume is low at best, the EPC may not realize a full payback of the money invested in the branch line, but in other areas it will do so. Mr. Millhone confirmed that after five years any amount of the original investment which is not yet been paid back is forgiven.

Senator Hill inquired whether the EPC has an attorney general's opinion supporting its revolving fund arrangement. Mr. Millhone responded in the affirmative, adding that the opinion was requested by Representative Norman Roorda. Senator Hill expressed the view that the General Assembly did not contemplate establishing any kind of revolving fund arrangement when the \$3,000,000 appropriation for improvement of branch line railroads was enacted, and pointed out that the General Assembly has done away with some kinds of revolving funds in recent years in favor of biennial appropriations.

Speaker Varley agreed with Senator Hill that the revolving fund arrangement described by Mr. Millhone was not envisioned by the General Assembly. However, he added that this represents what he termed imaginative planning at its best, and said that the EPC should be commended rather than criticized for establishing this arrangement.

Senator Hill inquired about certain federally-approved truck rate schedules which, he asserted, encourage use of trucks instead of rail transportation for moving certain kinds of freight.

In reply, Mr. Millhone stated that truck rates tend to vary more according to how busy the trucking firms are at any given point in time than do those of other types of carriers. However, Mr. Millhone added that the example cited by Senator Hill basically demonstrates the failure of the federal government to have any coherent policy on choices among alternative means of transportation. As a specific example, he cited the fact that barge traffic on the Mississippi River benefits tremendously from the very expensive federally-maintained series of locks and dams above St. Louis, but that no specific charges of any kind are imposed on the barge firms for use of these facilities. Mr. Millhone stated that the result of this situation is that shippers find it less expensive to send grain to the Gulf Coast by barge than by rail, although rail shipment is the most efficient in terms of energy consumed per ton-mile. In response to expressions of surprise and additional questions regarding this point, Mr. Millhone asserted that studies have shown that railroads can move grain to the Gulf Coast with more energy efficiency than barges, adding that this is at least partly due to the fact that the Mississippi River takes a very circuitous course rather than flowing directly south to its outlet.

In concluding his presentation, Mr. Millhone stated that he anticipated presenting a further report at the Legislative Council's next meeting, after the Energy Policy Council has more fully considered the issues raised by the proposed moratorium on construction of nuclear power plants. He added that he would anticipate being able to inform the Legislative Council at that time exactly what the EPC would propose in terms of assisting with funding of any study of such issues.

Vice Chairman Holden expressed appreciation to Mr. Millhone for his presentation. The Council then resumed consideration of progress reports from legislative study committees.

In discussion relative to the progress report of the Postsecondary Education Funding Study Committee, Senator Willits noted that due to recent dramatic drops in the birth rate in Iowa, it is now anticipated that there will be a 40 percent decline in enrollments in Iowa's postsecondary education facilities in the next 20 years. There was some discussion of the implications of this projection for future utilization of existing public and private higher education facilities in Iowa.

Senator Hill inquired whether the Study Committee is comparing quality as well as costs of the three basic categories of higher education facilities in Iowa (i.e., Board of Regents, private colleges, and area community colleges and vocational schools). Senator Hill suggested that useful indicators of academic quality might include appropriate career placement upon graduation, North Central Association accreditation, etc. Senator Willits replied that it is difficult enough to obtain agreement on measuring quantitative items, without tackling those which are qualitative.

Senator Murray inquired whether the various institutions' enrollment projections are realistic in the light of the anticipated decline in overall enrollment which Senator Willits had earlier mentioned. Senator Willits replied that the private college projections are more reflective of this trend than are those of the institutions operated by the Board of Regents and the area schools. Representative Stromer commented that the situation might reflect the fact that the tuition and public funds grant structure which has been allowed to develop has effectively precluded middle-income people from sending their children to private colleges. He stated that the private colleges' student bodies are tending increasingly to be drawn from families of above-average wealth and the poor who are eligible for various kinds of grants.

Representative Stromer stated that he wished to supplement the progress report of the Local Services Study Committee by informing the Council that tentatively the firm of Ernst and Ernst has been selected to make the study of county compensation levels and the responsibilities of county officers, which the Study Committee was previously authorized by the Council to undertake.

It was noted that progress reports for the joint interim subcommittees of standing committees had also been distributed to Council members present. Because of lack of time, these progress reports were not individually reviewed.

Representative Drake reported that he has arranged for an ad hoc committee including the legal counsel for the new Department of Transportation, and representatives of the Iowa Commerce Commission, the operating railroads, and other interested parties to meet, to begin comprehensive overhaul of railroad law appearing in the present Code of Iowa. Representative Drake explained that many of these laws contain obsolete provisions or archaic references which need to be updated or removed.

It was confirmed that the next meeting of the Legislative Council will be held at 10 a.m. Wednesday, October 9. Vice Chairman Holden stated that decisions should be made at that time regarding timing and arrangements for hearing reports from legislative study committees and joint interim subcommittees. Mr. Garrison noted that it is very desirable to conclude the work of these committees at the earliest possible date, so as to leave available adequate time for the Legislative Service Bureau staff to begin work on individual bill drafting requests prior to convening of the 1975 session.

Representative Cochran asked unanimous consent to change his vote from nay to aye on the motion to authorize Mr. Rankin to attend the National Association of Tax Administrators Conference on Revenue Estimating in Juneau, Alaska on October 20-23. No objection being raised, Vice Chairman Holden directed that Representative Cochran's vote be changed as requested. It was

noted that this change means the motion in question was adopted rather than lost. Representative Middleswart also asked that his vote on the same motion be changed from nay to aye.

The meeting was adjourned at 3:45 p.m.

Respectfully submitted,

PHILIP E. BURKS
Senior Research Analyst