

M I N U T E S

IOWA LEGISLATIVE COUNCIL

May 10, 1990

PRELIMINARY BUSINESS

The twelfth meeting of the 1989-1990 Legislative Council was called to order by Senator Bill Hutchins, Chairperson, at 2:15 p.m., Thursday, May 10, 1990, in Senate Room 22, State House, Des Moines, Iowa. Members present in addition to Chairperson Hutchins were:

Speaker Donald Avenson, Vice Chairperson
Lieutenant Governor Jo Ann Zimmerman
Senator C. Joseph Coleman
Senator Donald V. Doyle
Senator Julia Gentleman
Senator Calvin O. Hultman
Senator Emil J. Husak
Senator Jack Nystrom
Senator Dale Tieden
Senator Joe Welsh
Representative Bob Arnould
Representative Florence Buhr
Representative Kay Chapman
Representative Roger Halvorson
Representative William H. Harbor
Representative Tom Jochum
Representative Mary Lundby
Representative Harold Van Maanen

Also present were:

Ms. Diane Bolender, Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. Bill Angrick, Citizens' Aide/Ombudsman; Mr. Sandy Scharf, Director, Computer Support Bureau; Mr. Richard Johnson, Legal Division Chief, Legislative Service Bureau; Mr. Thane R. Johnson, Senior Research Analyst, Legislative Service Bureau; other legislative staff members; representatives of the news media; and other interested persons.

ROLL CALL AND MINUTES

Chairperson Hutchins noted that the roll had been taken as the members of the Legislative Council arrived. Chairperson Hutchins recognized Senator Coleman who moved to approve the minutes of the meeting of April 24, 1990, as distributed. The motion was adopted.

REPORT OF THE FISCAL COMMITTEE

Chairperson Hutchins recognized Senator Welsh who briefly reviewed the major recommendations of the Fiscal Committee contained in its report. Senator Welsh stated that the Fiscal Committee recommends that the Legislative Council approve the attached Proposed Lease-Purchase Procedures which state agencies that propose using a lease-purchase rather than an outright purchase of equipment would use. He commented that it is the Fiscal Committee's intent to develop legislation during the 1991 legislative session to require that agencies comply with the attached procedures and asked that the Legislative Council request that departments voluntarily submit their requests for lease-purchases until appropriate legislation is enacted.

There being no comments or questions, Senator Welsh moved the adoption of the report of the Fiscal Committee. The motion was adopted. A copy of the report of the Fiscal Committee including the Proposed Lease-Purchase Procedures is attached to and by this reference made a part of these minutes.

LEGISLATIVE REDISTRICTING PROGRESS REPORT

Chairperson Hutchins recognized Mr. Richard Johnson, Legal Division Chief, Legislative Service Bureau, for a report on the status of the negotiations between the Legislative Council and Election Data Services, Inc. which is being retained to provide redistricting computer services to the General Assembly. Mr. Johnson stated that the negotiation process is moving along quite smoothly and that the principals have been very cooperative in negotiations with the Council staff and in developing a final contract document of approximately 51 pages. He stated that the proposed contract calls for approximately \$480,000 in consultant fees and software purchases and approximately \$120,000 in computer hardware purchases. He stated that the final point of discussion with the consultant is whether the proposed hardware selected by the Council staff is compatible with the software being proposed by the consultant. Mr. Johnson continued by stating that work stations will be installed during June and July to prepare for the first demonstration test in early July.

In reply to a question by Representative Lundby, Mr. Johnson stated that the Legislative Council members will be informed of the dates and times for the demonstration tests. He added that determining compliance with the contract terms will be the responsibility of the majority and minority leaders of the General Assembly.

In reply to a question by Senator Husak, Mr. Johnson stated that the first reapportionment plan created by the Legislative Service Bureau, by law, is due by April 1, 1991. In reply to another question by Senator Husak, Vice Chairperson Avenson stated that in order to complete the reapportionment process one or more extraordinary sessions of the General Assembly may be required. In reply to another question by Senator Husak, Vice Chairperson Avenson stated that the possibility of presenting a plan earlier than April 1, 1991, is fairly remote because the federal census data will probably not be ready to allow completion of the first plan before the April 1 deadline. Senator Husak responded that perhaps holding appropriation subcommittee budget hearings in December will not be needed to expedite completion of the 1991 legislative session if the General Assembly will be meeting longer to finish its reapportionment responsibilities.

Chairperson Hutchins stated that it is not clear when the federal census data will be available and, therefore, it appears to be premature to speculate on changes in procedures and dates for the 1991 legislative session.

In response to a question by Vice Chairperson Avenson, Mr. Johnson responded that it will take approximately two weeks to develop a second plan if the first plan is rejected by the General Assembly. Chairperson Hutchins commented that he believes that Iowa has developed a very good reapportionment law and that he would be most reluctant to change the timetable and procedures.

In reply to a question by Representative Harbor, Mr. Johnson responded that the procedures for drafting a reapportionment plan could possibly be moved ahead if the census data is available at an earlier date.

In response to a question by Representative Lundby concerning analyses of proposed plans, Vice Chairperson Avenson stated that there will be all kinds of analyses available to the members of the General Assembly throughout the reapportionment process through their caucus staffs, party organizations, and from other sources. He further stated that legislators should not be concerned about the lack of information and data concerning the federal census information and the reapportionment process.

After further discussion, Chairperson Hutchins noted that the current provisions of the proposed contract call for the demonstration test to be conducted before July 1, 1990. He moved

that since portions of the proposed timetable have been delayed, the demonstration tests should take place between July 1 and July 10, 1990. There being no objections, the amendment was adopted.

Representative Van Maanen asked about the procedures for signing the contract with the consultant. Chairperson Hutchins stated that he will sign on behalf of the Legislative Council, but he intends that each of the legislative leaders be able to raise any objections to the terms of the contract before he signs the contract.

REPORT OF THE SERVICE COMMITTEE

Chairperson Hutchins recognized Senator Welsh for the report of the Service Committee. Senator Welsh presented a brief summary of the deliberations of the Service Committee.

Concerning a question about item 4 of the report relating to the purchase of additional personal computers by the Computer Support Bureau for the use of the Legislative Service Bureau and the House and Senate staffs, Senator Welsh replied that these purchases do not require the expenditure of additional funds that have not already been appropriated. He also stated that the recommendation concerning the provision of an uninterruptible power supply for the legislative computer system at a cost of \$89,256 has not been accepted or recommended by the Service Committee. He stated that the Service Committee has requested the Computer Support Bureau to solicit additional bids on the provision of an uninterruptible power source for the legislative computer system.

Senator Welsh moved adoption of the report of the Service Committee. Senator Husak questioned whether the report should be received or adopted. He asked if the appropriate procedure is to receive or adopt these reports. After discussion, it was determined that the adoption of the report is appropriate. Senator Welsh's motion to adopt the report was adopted.

A copy of the report of the Service Committee is attached to and by this reference made a part of these minutes.

REPORT OF THE ADMINISTRATION COMMITTEE

Chairperson Hutchins recognized Senator Doyle for the report of the Administration Committee. Senator Doyle reviewed the recommendations of the Administration Committee which include the sale of the Code data base to publishing companies, the installation of television cable access to the State House, emergency lighting for the State House, a thank you letter to Des Moines General Hospital for medical services provided, and a

proposal to video tape a tour of the State House for distribution to schools and civic organizations.

There being no further comments, Senator Doyle moved the adoption of the report of the Administration Committee. The motion was adopted.

A copy of the report of the Administration Committee is attached to and by this reference made a part of these minutes.

REPORT OF THE STUDIES COMMITTEE

Chairperson Hutchins recognized Vice Chairperson Avenson for the report of the Studies Committee. Vice Chairperson Avenson stated that the report contains three recommendations, the first being authorization for the establishment of 27 study committees including carryover and mandated studies. The second, he added, includes a recommendation to authorize \$50,000 to the State Supreme Court to develop a plan to implement a family court system, and thirdly, that the Legislative Fiscal Bureau be authorized to expend, not to exceed \$125,000, in association with the Federal Reserve Bank System in developing an Input/Output Economic Model for Iowa.

After discussion, Vice Chairperson Avenson asked for separate approval of the three recommendations.

Vice Chairperson Avenson moved the adoption of the recommendations of the attached listing of studies for the 1990 interim including membership authorizations, meeting days, charges, and time lines. The motion was adopted.

Vice Chairperson Avenson moved the adoption of the recommendation that \$50,000 be authorized for the State Supreme Court to develop a plan to implement a family court system within the unified trial court system. The motion was adopted.

Vice Chairperson Avenson moved the adoption of the recommendation of the Studies Committee that the Legislative Fiscal Bureau be authorized to expend not more than \$125,000 in working with the Federal Reserve Bank System in developing an Input/Output Economic Model for Iowa. The motion was adopted.

A copy of the Report of the Studies Committee is attached to and by this reference made a part of these minutes.

DEFENSE OF GOVERNOR'S APPEAL AUTHORIZED

Chairperson Hutchins recognized Senator Welsh for a motion to authorize the Legislative Council to retain legal counsel to

defend the Legislative Council against an appeal by Governor Terry E. Branstad of a Polk County District Court ruling in Welsh et al. v. Branstad. He stated that the suit involves the Legislative Council's challenge of several item vetoes of 1989 legislation and that Governor Branstad is appealing the Polk County District Court's ruling.

In reply to a question by Representative Van Maanen, Senator Welsh stated that the cost of the district court suit was approximately \$15,000 and that the legal counsel to be retained is Mr. Brent Appel, who also was legal counsel for the suit before the Polk County District Court. Senator Welsh further stated that he is not certain of the hourly rate which Mr. Appel charges for his legal services. Legislative staff agreed to provide Representative Van Maanen with the information he has requested.

There being no further questions, Senator Welsh's motion was adopted.

LEGISLATIVE COUNCIL EXPENDITURES

Chairperson Hutchins recognized Representative Lundby for an observation. Representative Lundby observed that the Legislative Council had authorized the expenditure of approximately \$337,219 during the course of its meeting.

ADJOURNMENT

There being no further business, Chairperson Hutchins adjourned the meeting at 2:56 p.m. Before adjourning, he stated that the next meeting of the Council is tentatively scheduled for June 14, 1990.

Respectfully submitted,

DIANE BOLENDER, Director

THANE R. JOHNSON
Senior Research Analyst