

M I N U T E S  
STUDIES COMMITTEE  
of the  
LEGISLATIVE COUNCIL

July 18-19, 1978

The Studies Committee of the Legislative Council was called to order by Senator C. Joseph Coleman, Co-chairperson presiding, at 1:45 p.m., Wednesday, July 18, 1978 in Senate Committee Room 22 of the State House. Members present in addition to Senator Coleman were:

Representative Jerry Fitzgerald, Co-chairperson  
Senator George Kinley  
Senator Fred Nolting  
Senator Richard Ramsey  
Speaker Dale M. Cochran  
Representative William Hargrave  
Representative Floyd Millen  
Representative Andrew Varley

Senator Bass Van Gilst was also present for a portion of meeting. Also attending were: Director Serge Garrison, Bernie Koebernick and Phil Burks of the Legislative Service Bureau and a number of additional legislative staff members and other interested persons.

Co-chairperson Coleman expressed the view that due to the relatively late start on interim work and the fact that this is an election year, it would be wise for the Studies Committee and the Legislative Council to be rather restrictive about the number of interim studies approved. He asked for a review of the studies which were mandated by actions of the 1978 Session of the General Assembly. In response, Mr. Koebernick identified those interim study projects which had been mandated, and indicated how they related to the jurisdictions and the interim requests of the respective standing committees of the Senate and House.

The Committee then began a review of study requests by standing committee subject area. Co-chairperson Coleman recognized Senator Van Gilst, Chairperson of the Senate Agriculture Committee, who explained the reason for that Committee's recommendations regarding interim studies and urged favorable consideration of these recommendations.

There was a brief discussion of means by which the Studies Committee and Council could undertake to assure that individual legislators are not assigned to an excessive number of interim studies, and that conflicting meetings of subcommittees which have overlapping membership are not scheduled.

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The Studies Committee spent some time reviewing the requests submitted by the respective standing committees of the Senate and House and the resolutions and other actions of the 1978 Session of the General Assembly relative to interim studies. At the conclusion of these deliberations, the Studies Committee had arrived at a tentative list of interim studies to be recommended to the Legislative Council for approval.

Several Committee members expressed a desire to see this tentative list in compiled form before taking final action to recommend it to the Legislative Council. It was therefore agreed to recess, and reconvene at 9:00 a.m. on the following day. The Legislative Service Bureau was requested to compile as quickly as possible the tentative list of interim studies to be approved and distribute copies to Committee members for review prior to the session on the following morning.

The meeting was recessed at 4:00 p.m.

Wednesday, July 19, 1978

The Studies Committee was reconvened in Senate Committee Room 22 at 9:40 a.m., Wednesday, July 19, 1978, with all Committee members who had attended the previous day's session again present except Representative Hargrave. Senator Calvin Hultman, a member of the Committee, was also present.

Copies of the tentative list of interim studies to be recommended to the Legislative Council for approval, which had been agreed upon at the previous day's session were available to Committee members and others present. A copy of the compiled list is attached to and by this reference made a part of these minutes.

Senator Nolting moved that the tentative list, as compiled by the Legislative Service Bureau be approved for recommendation to the Legislative Council. The motion was seconded by Representative Fitzgerald.

Speaker Cochran noted that during the discussion during the previous day, Representative Hargrave had expressed concern about the nature and extent of hazards which may be involved in the construction and operation of nuclear electric generating plants. He pointed out that the tentative list of studies to be approved included a study of the handling of hazardous waste to be conducted by a subcommittee of the Senate Committee on Energy. Speaker Cochran moved that this study instead be conducted by a joint subcommittee consisting of five members from the standing Committees on Energy of each house, and that its subject matter be expanded to include Representative Hargrave's concerns relative to nuclear power plants.

In the discussion which followed it was pointed out that the hazardous waste study had originally been slated as a study by a Senate subcommittee alone, because the House had enacted hazardous waste legislation at the 1978 Session which was not acted

upon by the Senate. Representative Varley therefore offered a substitute motion that the hazardous waste study be left as indicated on the tentative list, and that a new study of nuclear power problems be added, to be conducted by a joint subcommittee of the Joint Standing Committees on Energy consisting of three members from each house, and be authorized one initial meeting. In response to questions regarding what could be achieved at a single meeting, Representative Varley commented that the subcommittee could request additional meetings if it felt this was necessary.

Representative Varley's substitute motion failed on a tie vote of four to four, taken by a show of hands.

Speaker Cochran then withdrew his pending motion relative to expansion of the proposed hazardous waste study.

Senator Nolting's pending motion to approve the tentative list of interim studies for recommendation to the Legislative Council was adopted by a unanimous voice vote.

The Studies Committee adjourned at 9:55 a.m.

Respectfully submitted,

PHILIP E. BURKS  
Senior Research Analyst

SERGE H. GARRISON  
Director

# 1978 INTERIM STUDIES

Recommended by Studies Committee for

APPROVAL BY THE LEGISLATIVE COUNCIL

(1) Standing Committee, Study Subject Matter and Source of Request	(2) Full Comm. or Subcomm. Jt. or one House	(3) No. of Mbrs.	(4) No. of Mtng. Days
<b>AGRICULTURE</b>			
Grain deposit and handling  HCR 133/SCR 127	Joint Subcommittee	5 each house	5
Young farmers loan programs	Joint Subcommittee	3 each house	2
<b>BUDGET</b>			
<b>CITIES</b>			
Urban revitalization.  (With Ways & Means)	Joint Subcommittee	5 each house  (2 from Cities; 3 from Ways & Means in Senate)	3
<b>COMMERCE</b>			
Product Liability (jointly with Judiciary & Labor-Industrial Relations)	Joint Subcommittee	6 from each house; 2 from each partici- pating committee	5
Share Drafts (H.F. 2467)	Joint Subcommittee	3 from each house	3

(1) Standing Committee, Study Subject Matter and Source of Request	(2) Full Comm. or Subcomm. Jt. or one House	(3) No. of Mbrs.	(4) No. of Mng. Days
<b>COUNTY GOVERNMENT</b>			
<b>EDUCATION</b>			
Study per H.F. 2361, proposed changes in school aid formula	Joint Subcommittee	5 each house	3
<b>ENERGY</b>			
Hazardous Wastes	Senate Subcommittee	5	2
Resource Recovery	Joint Subcommittee	4 each house	3
<b>HUMAN RESOURCES</b>			
New state mental health agency structure	Joint Subcommittee	5 each house	3
Juvenile Services and the impact of the Juvenile Justice Law	Joint Subcommittee	3 each house	2
<b>JUDICIARY AND LAW ENFORCEMENT</b>			
Judicial Apportionment Formula	Joint Subcommittee	3 each house	2
Penal & Correctional Institutions & County Jails Study	Joint Subcommittee	5 each house	3
<b>LABOR &amp; INDUSTRIAL RELATIONS</b>			
Mandatory Retirement Study	Joint Subcommittee	3 each house	2

(1) Standing Committee, Study Subject Matter and Source of Request	(2) Full Comm. or Subcomm. Jt. or one House	(3) No. of Mbrs.	(4) No. of Mtnng. Days
NATURAL RESOURCES			
Water Laws Study	Joint Subcommittee	5	5
STATE GOVERNMENT			
Reorganization of of D.E.Q.	House Only	5	3
Public Employees Retirement Systems, per H.F. 2426, sec.66	Joint Subcommittee	5	5
National Guard	House only	5	3
TRANSPORTATION			
Distribution of secondary road and farm-to- market road funds per H.F. 491	Joint Subcommittee	5 (3 from Transporta- tion & 2 from Ways & Means, in each house)	3
WAYS AND MEANS			
Property Tax Study Subcommittee, continued from 1977 interim	Joint Subcommittee	5 each house	5
Income Tax Study Subcommittee, per SCR 135, HCR 141 & HCR 128	Joint Subcommittee	5 each house	5