

M I N U T E S
LEGISLATIVE COUNCIL
February 23, 1982

The twelfth meeting of the 1981-1982 Legislative Council was called to order at 12:10 p.m., Tuesday, February 23, 1982 in Committee Room 22 of the State House, Des Moines. Council members present were:

Senator Calvin O. Hultman, Chairperson
Speaker Delwyn Stromer, Vice Chairperson
Lieutenant Governor Terry E. Branstad
Senator Gary L. Baugher
Senator C. W. Hutchins
Senator Lowell L. Junkins
Senator John S. Murray
Senator Richard R. Ramsey
Senator Ray Taylor
Representative Robert T. Anderson
Representative Donald D. Avenson
Representative John H. Connors
Representative Ingwer Hansen
Representative Lester D. Menke
Representative Lawrence Pope
Representative Richard W. Welden

Other persons present for the meeting were:

Dr. William Farrell, LEAG
Dr. John W. Fuller, LEAG
Mr. Wayne Faupel, Code Editor
Ms. Phyllis Barry, Deputy Code Editor
Mr. Stanley McCausland, Director of General Services
Mr. Gerry D. Rankin, Legislative Fiscal Director
Mr. Serge Garrison, Director, Legislative Service Bureau
Mr. Burnette Koebernick, Legislative Service Bureau
Ms. Diane Bolender, Legislative Service Bureau

Also present were a number of other Iowa legislative staff persons, news media representatives, and other interested individuals.

Representative Menke moved that the minutes of the December 16, 1981 meeting be approved as mailed to Council members, and the motion was adopted. Representative Welden moved that the Legislative Council receive the Educational Leave Report, and the motion was adopted. Representative Welden, noting the large number of persons receiving reimbursement for educational leave, indicated that he will transmit a copy of the Report to the Chairperson of the House Committee on State Government.

Chairperson Hultman stated that Mr. McCausland has transmitted information to him about a problem relating to the selection of

draperies for Committee Rooms 116 and 118. He indicated that he is referring the problem to the Administration Committee for discussion and will direct the Administration Committee to return to the Legislative Council with recommendations on bidding procedures for the draperies.

Chairperson Hultman called for a report from Mr. McCausland about the installation of a comprehensive fire alarm system for the Capitol Building. Mr. McCausland stated that since the Legislative Council had expressed concern about the reliability of a fire alarm system for the Capitol Building, he has commenced work to determine the cost of installation of a fire alarm system. He indicated that the system will be installed this summer and will include smoke detectors, ion detectors, and an alarm system. Mr. McCausland estimated that it will cost approximately \$50,000 for installation. Mr. McCausland explained that the proposed system will enhance the multiplexing and transmission of detection and status signals to the Hoover Building Control Center which is manned and operational 24 hours a day, 365 days a year. Chairperson Hultman asked whether the money to install the system will be requested from the Legislative Council. Mr. McCausland responded in the affirmative, indicating that it is estimated that the bid evaluation will occur in May, and Mr. McCausland will then bring the results of the bids to the Legislative Council.

Representative Menke asked whether the alarm system will also include the upper rooms of the House of Representatives Chamber and Mr. McCausland responded in the affirmative. Chairperson Hultman asked the Administration Committee to receive progress reports from Mr. McCausland and make recommendations concerning the bidding procedures to the Legislative Council. Mr. McCausland agreed to make periodic reports on the progress of the fire alarm system to the Administration Committee.

Chairperson Hultman called for the report of the Administration Committee. A copy of the report of the Administration Committee is attached and by this reference made a part of these minutes. Representative Menke indicated that the report envisions restructuring the present staff of the Legislative Service Bureau and the Code Editor's office in order to expedite publication of the Session Laws and the Code. He explained that the tasks necessary for publication of the Session Laws and the Code will be performed by the Legislative Service Bureau, with Mr. Faupel serving as Code Consultant and Ms. Barry serving as the Supervisor of the Administrative Rules Publication.

Representative Menke, who served as Chairperson of a subcommittee of the Administration Committee assigned to study the Code publication, stated that the report indicates the direction in which the Administration Committee would like to proceed. Chairperson Hultman interjected that the Administration Committee had received information last December that renewal of the contract with Data Retrieval Services of Milwaukee to establish an updated data base would require an expenditure of \$78,000. He added that

further information indicated that each procedure necessary for publication of the Code is currently performed by a separate company or corporation. Chairperson Hultman indicated that the Administration Committee would like to see the Code completed at a much earlier date using only the additional personnel that are currently legislative employees. He indicated that it is envisioned that the data base would be updated by the Legislative Service Bureau using a computer program to be developed by the State of Iowa Data Processing personnel. It will be applied to the same data base that is used for bill drafting purposes. Chairperson Hultman expressed the belief that the 1985 Code can be published as much as three months earlier by moving the procedures to the Legislative Service Bureau and retaining Mr. Faupel as Deputy Code Editor and Code Consultant. He noted that the Session Laws can also be completed at an earlier date.

Chairperson Hultman noted that the primary Code change which will be required at this time is the amendment of a section that mandates that the Code contain the Rules of the Supreme Court, Rules of Civil Procedure, and Rules of Criminal Procedure. Chairperson Hultman indicated that these rules are current for only three to four months and the Supreme Court presently issues supplements to the rules as they are amended. Mr. Garrison commented that section 14.12 of the Code currently requires that the Rules of the Supreme Court, Rules of Civil Procedure, and Rules of Appellate Procedure be included in the Code. He suggested that more flexible language will provide more discretion in the Code publication. Senator Taylor asked whether these Rules need to be published in a hardbound version if they are changed periodically. Chairperson Hultman responded in the affirmative, expressing the belief that a hardbound version may be advisable for reference purposes in future years.

Chairperson Hultman stated that the Legislative Council is not now being asked to make a final decision about the publication of the Rules in the Code, but is asked to authorize the Legislative Service Bureau to draft language for discussion purposes allowing more flexibility in the publication of the Rules.

Mr. Faupel asked the Council to delay the changes requested for the Code publication until January 1, 1983 in order not to affect the 1983 Code.

Mr. Faupel asked the Legislative Council to delay changes in the Session Laws until the 1983 Session. He expressed opposition to the proposal to number chapters in the Session Laws in the order in which they are approved by the General Assembly, with a grouping of appropriation bills toward the end of the Session Laws. He stated that the bills are currently placed in the Session Laws in the order in which the sections appear in the Code, and he indicated that the appropriation bills are placed first in the Session Laws to enable the State Comptroller to set up his accounts on a timely basis.

Mr. Garrison responded that the major appropriation bills are not generally passed by the General Assembly until the end of the session and numbering the chapters of the Session Laws in the order in which the bills are passed will enable the Legislative Service Bureau to establish chapter numbers, form, and text during the session and to be completing the tables required for the Session Laws during the session, thus avoiding unnecessary delay. He also indicated that the Code changes can be set as the session progresses. Mr. Garrison distributed pages of an experimental session law publication of bills that have already been passed by the General Assembly. This publication was made by inserting chapter numbers and titles on enrolled bills and messaging the text from LSB computers, after first inserting the proper print codes, to the House composing and printing equipment and running the text off on the House printers.

Mr. Faupel asked that his proposed title be changed from Deputy Code Editor and Code Consultant to Code Consultant. The Legislative Council agreed.

Mr. Garrison commented that points of difference between the Code Editor's Office and the Legislative Service Bureau can be worked out in consultation with the Administration Committee and the two staffs can assist each other in publication of the Code and the Session Laws on a timely basis.

Representative Menke moved that the Legislative Council receive the report of the Administration Committee, as amended. The motion carried. Representative Menke moved that the Legislative Council proceed to implement the report of the Administration Committee. The motion was adopted.

Chairperson Hultman recognized Dr. Farrell. Dr. Farrell reviewed the purposes of the Legislative Extended Assistance Group (formerly Legislative Environmental Advisory Group) and brought the Council up to date concerning funding of the project. He indicated that at the September Council meeting, he had proposed submitting an application to a private foundation to fund one-half the costs of LEAG with the other half being funded by a state appropriation. He explained that the proposal was adopted and assistance in funding has been approved for the next two years.

Dr. Farrell commented that there is still funding available under the old grant from the National Science Foundation, and he suggested that funds remaining from this grant be used to study the problem of water in the state. He suggested a two-pronged approach with researchers looking at the various funding cuts occurring with a list of options on funding and the development of a data base on water. He suggested developing a list of priorities as to the critical data needs, together with an analysis of what is going to happen to water in Iowa given the various federal changes and Iowa's needs. Senator Murray commented that the LEAG researchers should work closely with the Legislative Fiscal Bureau in the

development of any information relating to federal funding cuts. He suggested that LEAG can provide more technical research in the area of water needs which can be an addition to the more general research performed by the Legislative Fiscal Bureau personnel. Dr. Farrell responded that LEAG will not duplicate current data. Representative Welden asked whether Dr. Farrell is in contact with the State Geologist. Dr. Farrell responded in the affirmative.

Senator Murray moved that the Legislative Council approve the implementation of a study by LEAG on water in Iowa, with the stipulation that LEAG coordinate its work with the Legislative Fiscal Bureau and perform the more highly technical portions of the study. Senator Murray's motion was adopted.

Dr. Fuller indicated that copies of a new LEAG publication, "Evaluation of Soil Productivity Criteria Used to Aid in Valuation of Agricultural Land in Iowa" are available to legislators.

Speaker Stromer moved that the Legislative Council approve the employment of Mr. Steve Rosenow as a Fiscal Analyst I at Pay Grade 24, Step 3, to fill the vacancy existing after the resignation of Ms. Donna Van Haalen. Speaker Stromer commented that Mr. Rankin had consulted Service Committee members about filling the vacancy and tentatively hiring Mr. Rosenow. Speaker Stromer's motion was adopted.

The Legislative Council adjourned at 12:40 p.m.

Respectfully submitted,

SERGE GARRISON
Director

DIANE BOLENDER
Senior Research Analyst