

# MINUTES

## IOWA LEGISLATIVE COUNCIL

February 23, 1993

### PRELIMINARY BUSINESS

The first meeting of the 1993-1994 Legislative Council was called to order by Temporary Chairperson, Senator Wally Horn, at 12:08 p.m., Tuesday, February 23, 1993, in Senate Room 22, Statehouse, Des Moines, Iowa. Members present in addition to Temporary Chairperson Horn were:

Senator Leonard Boswell  
Senator Florence Buhr  
Senator Donald Gettings  
Senator John Jensen  
Senator Jim Lind  
Senator Derryl McLaren  
Senator William D. Palmer  
Senator Jack Rife  
Senator Maggie Tinsman  
Representative Bob Arnould  
Representative Clifford Branstad  
Representative John H. Connors  
Representative Ron J. Corbett  
Representative Teresa Garman  
Representative Pam Jochum  
Representative Mary Lundby  
Representative Wayne McKinney, Jr.  
Representative Brent Siegrist  
Representative Richard Vande Hoef

Also present during all or part of the meeting were: Senator Al Sturgeon; Ms. Diane Bolender, Director, Legislative Service Bureau; Mr. Dennis Prouty, Director, Legislative Fiscal Bureau; Mr. William P. Angrick II, Citizens' Aide/Ombudsman; Mr. Sandy Scharf, Director, Computer Support Bureau; Mr. Tim Faller, Deputy Director, Legislative Fiscal Bureau; Ms. Liz Isaacson, Chief Clerk of the House; Mr. Jack Dwyer, Secretary of the Senate; 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 ELECTION OF OFFICERS

Temporary Chairperson Horn asked for a roll call of the members. The roll call found 20 members present and four absent.

Temporary Chairperson Horn recognized Representative Siegrist who moved to elect Senator Wally Horn and Speaker Harold Van Maanen as Chairperson and Vice Chairperson, respectively, of the 1993-1994 Legislative Council. Representative Connors seconded the motion and it was adopted unanimously.

### RULES OF PROCEDURE

Chairperson Horn asked for additions or corrections to the proposed rules of procedure for the Legislative Council. There being none, Representative Siegrist moved that the proposed rules of procedure be adopted as the permanent rules of procedure. The motion was seconded by Representative Connors and adopted. A copy of the proposed rules is attached to these minutes.

### COMMITTEE MEMBERSHIPS

Chairperson Horn noted that a list of the memberships of the committees of the Legislative Council has been distributed to the Council. There being no comments, Representative Connors moved that the list be received and filed. The motion was adopted. A copy of the membership list is attached to these minutes.

### SUPREME COURT RULE

Chairperson Horn recognized Senator Al Sturgeon, Chairperson, Senate Committee on Judiciary, for comments on the proposed rule change submitted by the Iowa Supreme Court. Senator Sturgeon stated that the proposed rule change provides that instructions to a jury in a criminal proceeding are to be governed by the rules relating to civil cases. He explained that this change allows the court to give oral and written instructions to juries in criminal cases. He added that the amendment also strikes language which requires a jury to retire for deliberation after a hearing.

In response to a question, Ms. Bolender replied that new or amended rules of the courts are submitted to the Legislative Council for review. If there is no objection, the rules take effect 60 days after submission to the Council. If there is objection, the effective date is delayed until May 1 of the next calendar year if it is filed with the Council on or after February 15. The General Assembly may change a proposed form or rule through the enactment of legislation.

The proposed judicial rule changes were received and filed without objection. A copy of the proposed rules is filed with the Legislative Service Bureau.

### 1992 ANNUAL MEETING OF THE COUNCIL OF STATE GOVERNMENTS

Representative John H. Connors, 1992 Chairperson, Council of State Governments, presented a written and oral report of the 1992 Annual Meeting which was held in Des Moines, December 3-6, 1992. He noted that there were 489 persons registered for the Annual Meeting, including 179 government officials. He stated that the Host State Committee received \$128,750 in cash, excluding in-kind contributions, and spent \$122,870.66. He added that approximately 125 legislative staff members donated their time to help with hosting and transportation duties. In conclusion, Representative Connors noted that the Legislative Council authorized a loan of \$10,000 to the Host State Committee, of which \$5,000 was borrowed and repaid.

Senator Boswell stated that Representative Connors, the Host State Committee, and staff deserved thanks for a job well done. The Council joined Senator Boswell in expressing its appreciation.

Representative Connors moved that the Report of the 1992 Annual Meeting of the Council of State Governments be received and filed. The motion was adopted. A copy of the Report is on file in the Legislative Service Bureau.

### PIONEER LAWMAKER EXPENSES

Chairperson Horn recognized Ms. Bolender concerning the request for funding of the biennial Pioneer Lawmakers recognition. She stated that in lieu of an appropriation to fund the cost associated with the activities, approval of the Legislative Council is being sought for a joint expenditure not exceeding \$1,500. She added that the costs associated with the Pioneer Lawmakers include stationery, envelopes, postage, return notification, photocopying costs, and a luncheon at the State Historical Building.

After discussion, Representative Connors moved that the Legislative Council approve a joint expenditure of not more than \$1,500 for expenses associated with the Pioneer Lawmakers joint convention and luncheon. The motion was adopted.

### LEGISLATIVE COUNCIL COMPENSATION RESOLUTION

A proposed Legislative Council resolution relating to the compensation of employees of the central legislative staff agencies for the Seventy-fifth General Assembly was presented to the Legislative Council. Ms. Bolender stated that the resolution is similar to the joint pay resolution submitted to the Senate and House of Representatives for the employees of the Senate and House. She noted that the resolution contains the salary schedule and personnel rules and procedures for the Legislative Fiscal Bureau, Legislative Service Bureau, Computer Support Bureau,

and the Office of Citizens' Aide/Ombudsman. In reply to a question by Senator Tinsman, Ms. Bolender replied that overtime compensation is handled differently for professional staff and support staff. She added that professional employees receive a limited amount of compensatory time for overtime worked while support staff receive time and one-half for overtime or overtime compensation in some instances. Ms. Bolender also explained the Council personnel policy concerning the sharing of vacation leave by a legislative employee with another employee who is ill and has exhausted both sick leave and vacation leave.

There being no further questions, Representative Connors moved the adoption of the resolution. The resolution was adopted. Representative Connors moved that the list of central legislative agency personnel by class and grade be received and filed. A copy of the resolution and employee lists will be printed in the journals of the Senate and House of Representatives and are filed with the Legislative Service Bureau.

#### MISCELLANEOUS

Senator Lind asked if funding is needed to provide for the memorial service for former legislators. Chairperson Horn responded that additional funding is unnecessary.

A copy of the tentative dates for Legislative Council meetings during the 1993 interim was presented to the members and is attached to these minutes.

#### ADJOURNMENT

There being no further business to come before the Council, Representative Connors moved that the Council adjourn at 12:22 p.m.

Respectfully submitted,

DIANE E. BOLENDER  
Director

THANE R. JOHNSON  
Senior Research Analyst

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