

MINUTES

IOWA LEGISLATIVE COUNCIL

July 20, 1994

PRELIMINARY BUSINESS

The eleventh meeting of the 1993-1994 Iowa Legislative Council was called to order by Chairperson Senator Wally Horn at 1:35 p.m., Wednesday, July 20, 1994, in Room 22, State House, Des Moines, Iowa. Members present, in addition to Chairperson Horn, were:

Speaker Harold Van Maanen, Vice Chairperson
Senator Leonard Boswell
Senator Florence Buhr
Senator Donald E. Gettings
Senator Emil J. Husak
Senator John W. Jensen
Senator Jim Lind
Senator Larry Murphy
Senator William D. Palmer
Senator Jack Rife
Senator Maggie Tinsman
Representative Clifford O. Branstad
Representative John H. Connors
Representative Ron J. Corbett
Representative Teresa Garman
Representative Pam Jochum
Representative Mary A. Lundby
Representative Pat Murphy
Representative Brent Siegrist
Representative Richard Vande Hoef

Also present during all or part of the meeting were: Ms. Diane Bolender, Director, and Mr. Richard Johnson, Deputy Director, Legislative Service Bureau; Ms. Holly Lyons, Division Administrator, Legislative Fiscal Bureau; Mr. William P. Angrick II, Citizens' Aide/Ombudsman; Ms. Liz Isaacson, Chief Clerk of the House; Mr. Jack Dwyer, Secretary of the Senate; Mr. Greg Nichols, Senior Administrative Assistant; Ms. Maryjo Welch, Administrative Assistant; Mr. Mark Brandsgard, Senior Administrative Assistant; Mr. Warren Fye, Senior Republican Caucus Staff Director; Ms. Paulee Lipsman, House Democratic Caucus Staff Director; 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 Horn stated that the roll was taken as the members arrived and that a quorum was present.

Representative Vande Hoef moved that the minutes of the June 15 meeting be approved as submitted. The motion was seconded by Representative Jochum and adopted.

NATIONAL CONFERENCE OF STATE LEGISLATURES

Chairperson Horn stated that he has been asked by Representative Branstad and others if he is a candidate for President of the National Conference of State Legislatures (NCSL). He stated that he is seriously considering his candidacy for the office pending a rule change to provide for succession of the next NCSL President in midterm if necessary. He added that he believes that participation in the activities of the NCSL is important to the Iowa General Assembly and to the individual legislators who participate at seminars and committee meetings. He cited examples of two Iowans, former Senator Richard Varn and Representative Richard Running, who have gained a national recognition through participation in NCSL for their expertise in the areas of communications and labor, respectively. He urged other Iowa legislators to become involved in the activities of the NCSL and the Council of State Governments (CSG).

REPORT OF THE FISCAL COMMITTEE

Chairperson Horn recognized Representative Ron Corbett for the Report of the Fiscal Committee. Representative Corbett stated that the Fiscal Committee has met twice since the last Council meeting. At its June 20 meeting, the Committee took no formal action, but received information and updates on several topics. He stated that the Committee received information on enforcement needs for expanded gambling activities, updates on revenue estimates and the Iowa Communications Network, information on appropriation transfers, notifications on lease purchases, and other updates on State Fair Board bonding, Capitol restoration, health care reform, and road use tax issues. There being no questions or comments on the June 20 Report, Representative Corbett moved the adoption of the Report. The motion was adopted. A copy of the Report of the Fiscal Committee, dated June 20, 1994, is attached to these minutes.

Representative Corbett also reported that the Fiscal Committee met on July 18, 1994, at the Duane Arnold Energy Center in Palo, Iowa. He also stated that no formal action was taken by the Committee, but various issues were discussed and information was received. He noted that the disposal of low level radioactive waste remains a problem which must be resolved within the next six or seven years. Representative Lundby requested that the information received at the meeting be sent to the chairpersons of the standing committees on energy.

Concerning the Fiscal Year 1994 General Fund balance, Representative Corbett stated the ending balance is approximately \$71 million. He added that the revenue forecast for the Iowa Communications Network has improved.

Representative Corbett expressed concern regarding the costs of lease purchases which were reported by state agencies in July. He noted that over \$6 million was spent from three sources and that he is concerned that these lease-purchase expenditures were undoubtedly made during the legislative session without review by the appropriate appropriations subcommittees.

In reply to a question by Representative Lundby, Representative Corbett replied that the Iowa Communications Network staff is working diligently to access the three state universities and the state library to the network and that access to the network for the Iowa National Guard will not interfere with the current plans to provide access to educational institution.

In reply to a question by Senator Husak, Representative Corbett responded that sections in appropriations bills imposing additional oversight of lease purchases by the appropriation subcommittees were item vetoed. Senator Husak stated that legislation is needed to stop these lease-purchase agreements of state agencies from creating future financial obligations without prior review of the appropriations subcommittees. Senator Tinsman commented that the Iowa Department of Veterans Affairs did not indicate a need for the listed lease purchases to the Appropriations Subcommittee on Health and Human Rights. She requested that the responses to the Fiscal Committee's inquiries concerning these lease purchases be sent to the co-chairpersons and ranking members of the appropriate appropriations subcommittees. Representative Corbett agreed to keep the appropriations subcommittees informed.

After further discussion, Senator Palmer moved that a letter be sent from the Legislative Council to all state agencies notifying them that for any future lease-purchase agreements of \$50,000 or more which have not been previously authorized by the General Assembly, the state agencies should understand that all payments in future fiscal years related to those lease-purchase agreements must be paid using funds specifically appropriated for that purpose and that the payments will be subject to special scrutiny under the appropriation process. In reply to comments by Chairperson Horn and Representative Lundby concerning current Code requirements for reporting lease-purchase agreements, Senator Palmer replied that the purpose of his motion is to express the disapproval of the Legislative Council regarding the execution of lease-purchase agreements by state agencies without prior knowledge or approval of the appropriations subcommittees or the General Assembly. Senator Husak seconded Senator Palmer's motion and added that he wonders how the state income tax rates can be indexed to reflect a \$7.1 million reduction when three state agencies have committed the state to \$6 million additional expenditures in the first month of the new fiscal year.

Representative Corbett added that another issue which should be addressed is whether the Iowa Department of Transportation can legally pay for a boiler replacement from moneys in the Road Use Tax Fund, the expenditure of which is constitutionally restricted.

Senator Tinsman requested that the Legislative Fiscal Bureau compile and make available a list of all lease-purchase agreements. Ms. Holly Lyons stated that the list will be compiled and disseminated. Senator Buhr requested that the members of the various appropriations subcommittees be sent a list of the lease-purchase agreements.

There being no further comments on the motion, Senator Palmer's motion was adopted.

There being no further comments on the Report, Representative Corbett moved the adoption of the Fiscal Committee Report, dated July 18, 1994. The motion was adopted. A copy of the Report is attached to these minutes.

REPORT OF THE SERVICE COMMITTEE

Speaker Harold Van Maanen was recognized for the Report of the Service Committee. He stated that the Committee received the personnel reports of the Legislative Service Bureau, the Legislative Fiscal Bureau, and the Citizens' Aide/Ombudsman.

Concerning the review of the salaries of the directors of the central legislative agencies, Speaker Van Maanen noted that the Committee received and filed a progress report from the Salary Subcommittee. He added that the Salary Subcommittee asked and was granted additional time to complete its work.

Speaker Van Maanen moved the adoption of the Report of the Service Committee. The motion was adopted. A copy of the Report of the Service Committee is attached to these minutes.

REPORT OF THE ADMINISTRATION COMMITTEE

Senator Palmer was recognized to review the activities and recommendations of the Administration Committee. He stated that the Committee recommends that the Legislative Council request the Department of General Services to relocate the lactation room to the women's lounge on the ground floor of the Capitol Building. He also stated that the Committee requested the Department of General Services to provide an itemized list of sprinkler installation costs for the Capitol Building by zones. Senator Palmer reported that the Committee received information concerning the recently purchased assistive listening device equipment, the cost of installation of video conferencing equipment within an existing legislative committee room, and the impediments to commencing work during late summer on stone installation on the northwest pavilion of the Capitol.

Senator Palmer moved the adoption of the Report of the Administration Committee. The motion was adopted. A copy of the Report is attached to these minutes.

REPORT OF THE STUDIES COMMITTEE

Chairperson Horn recognized Representative Lundby for the Report of the Studies Committee. She stated that the Report recommends the creation of a Child Protection Task Force as requested in House File 2261, section 19. She added that the Task Force also received an appropriation of \$10,000 in Senate File 2330, section 8.

Representative Lundby moved the adoption of the Committee Report. The motion was adopted. A copy of the Report is attached to these minutes.

JUDICIAL COMPENSATION COMMISSION APPOINTMENT

Chairperson Horn recognized Representative Corbett to announce an appointment to the Judicial Compensation Commission. He stated that the nominee is Ms. Nancy Evans of Cedar Rapids. The appointment is for a term ending June 30, 1998.

Representative Corbett moved the appointment of Ms. Evans for appointment to the Judicial Compensation Commission. The motion was adopted.

MIDWESTERN LEGISLATIVE CONFERENCE

Representative John H. Connors, Chairman of the Midwestern Legislative Conference of the Council of State Governments, presented a update of plans for the 1994 Annual Meeting in Des Moines. He stated that the planning is almost complete for the Annual Meeting and that funding has been raised for the expenses of the meeting. He urged Iowa legislators to attend and he noted that Iowa governmental attendees will not be charged the registration fee.

DISPLAY CASE PROPOSAL

Chairperson Horn recognized Ms. Bolender who briefly reviewed a letter from the Iowa Commission on the Status of Women, which has taken a lead in planning for a display case in the State Capitol featuring the contributions and achievements that women have made to Iowa government. She stated that the proposal for the display was submitted by Representative Corbett and adopted by the Legislative Council last October. She stated that the basic design of the proposed display cases is outlined in the letter, and the next step is to present the proposal to the Capitol Planning Commission. Ms. Bolender added that the proposal is submitted to the Legislative Council at this time for informational purposes only.

In reply to a question by Senator Lind, Ms. Bolender stated that the Legislative Council can pay for the proposed display cases using moneys available to the General Assembly under section 2.43 if the cases are deemed necessary for use by the General Assembly. A copy of the letter is attached to these minutes.

INTERSTATE HIGHWAY REST AREAS

Senator Husak was recognized for comments concerning maintenance of rest areas along interstate highways in Iowa. He stated that he has had several opportunities to stop at rest areas in Iowa and has found the rest rooms and grass areas poorly maintained. He also noted that at least one rest area is subcontracted to ServiceMaster by the Jones Company. He stated that he questions whether the Jones Company can make a profit if it subcontracts its work. He suggested that the situation should be investigated because of the poor maintenance.

LETTER REFERRED

Representative Jochum stated that Representative Wayne McKinney asked her to refer a letter regarding Iowa's retail sales tax law which he received from a small business owner to the Tax Study Interim Committee. Ms. Bolender stated that she would forward the letter to the Co-chairpersons of the Tax Study Interim Committee.

SOUTH KOREAN CORPORATE GIFT

Speaker Van Maanen displayed a gift which was presented to the Iowa General Assembly by officers of the Goldstar Corporation on July 12, 1994. He stated that the Goldstar Corporation is a multi-billion-dollar South Korean electronic corporation and its officers have been visiting Iowa and Indiana to observe how government interacts with business in the United States. He added that the multicolored gift is a symbol of "union", representing a bride and bridegroom. Chairperson Horn acknowledged receipt of the gift on behalf of the Iowa General Assembly.

ADJOURNMENT

There being no further business to come before the Council, Representative Connors moved that the Legislative Council adjourn at 2:35 p.m. The motion was seconded by Representative Murphy and adopted.

Respectfully submitted,

MS. DIANE E. BOLENDER
Director

MR. THANE R. JOHNSON
Senior Research Analyst

ATTACHMENTS

- 1. Fiscal Committee Reports (2)***
- 2. Service Committee Report***
- 3. Administration Committee Report***
- 4. Studies Committee Report***
- 5. Status of Women Letter***