

M I N U T E S
LEGISLATIVE COUNCIL

April 17 and April 19, 1979

The third meeting of the 1979-1980 Legislative Council was called to order at 8:10 a.m., Tuesday, April 17, 1979 in the Speaker's Conference Room of the State House in Des Moines. Council members attending the meeting were:

Speaker of the House Floyd H. Millen, Chairman
Senator Calvin O. Hultman, Vice Chairman
Lieutenant Governor Terry Branstad
Senator James E. Briles
Senator C. Joseph Coleman
Senator John S. Murray
Senator Bob Rush
Senator Ray Taylor
Representative Robert T. Anderson
Representative John H. Clark
Representative Roger A. Halvorson
Representative William H. Harbor
Representative Delwyn D. Stromer
Representative Richard W. Welden

Other persons present for the meeting included Director Serge Garrison, Bernie Koebernick and Phil Burks of the Legislative Service Bureau; Legislative Fiscal Director Gerry D. Rankin; Citizens' Aide Bill Angrick; Code Editor Wayne Faupel and Deputy Code Editor Phyllis Barry; Chief Clerk of the House David Wray; Supreme Court Administrator William O'Brien; Superintendent of Printing Vern Lundquist and a number of additional legislative staff persons and other interested persons.

On motion of Representative Harbor, second by Senator Hultman, the minutes of the February 22 and March 2 meetings of the Legislative Council were approved as submitted to Council members.

Representative Harbor was recognized for the report of the Council's Service Committee, pursuant to the March 22, 1979 meeting of that Committee. Representative Harbor presented the following recommendations from the Service Committee:

1. That Mr. Angrick be authorized to transfer \$2,000 of funds appropriated to the Office of Citizens' Aide from the in-state travel account to the out-of-state travel account for the fourth quarter of the fiscal year.

2. That upon the effective date of Mr. Frank Thomas' resignation as Legal Analyst from the Office of Citizens' Aide, Mr. John Spinnato, General Deputy, be appointed Legal Analyst and be compensated at a rate of merit pay grade 29, step 2.

At Representative Harbor's suggestion, Speaker Millen recognized Mr. Angrick who noted that he had distributed to Council members present copies of the professional resume of Mr. C. Leonard Smith, Jr. Mr. Angrick stated that he had offered Mr. Smith the position of General Deputy which is to be vacated by Mr. Spinnato as noted in item 2 of the Service Committee's report. Mr. Angrick requested approval for the employment of Mr. Smith in the position.

Representative Harbor moved that the report of the Service Committee be adopted, with the addition of a recommendation for the employment of Mr. Smith as requested by Mr. Angrick. The motion was seconded and adopted by a unanimous voice vote.

Mr. Lundquist was next recognized for presentation of the recommendation with regard to acceptance of a bid for printing the compiled Acts of the 1979 Session of the Sixty-eighth General Assembly. A copy of the written recommendation which had been submitted by Mr. Lundquist in advance of the meeting is attached to and by this reference made a part of these minutes.

Mr. Lundquist noted that the firm whose bid he had recommended be accepted--Desaulnier and Company--has printed the two most recent editions of the Iowa Session Laws.

Senator Coleman noted that the figures submitted by Mr. Lundquist indicate that although Desaulnier and Company is the lower bidder in all respects, it proposes to charge the State of Iowa a higher price per copy for the 2,500 copies of hardbound Session Laws, included in the combination bid for hardbound and softbound copies, than it would charge on a per copy basis if all 4,500 copies of the Session Laws were printed in hardbound form. Senator Coleman suggested this situation is not logical and asked whether Mr. Lundquist could explain it. Mr. Lundquist replied that he would have to review the worksheets to determine the exact basis for the Desaulnier and Company bid on the combination order and the hardbound copies only, adding that the bidders had been requested to distribute preparation costs between hardbound and softbound copies on the combination bid.

Senator Coleman moved that the Council instruct Mr. Lundquist to purchase all copies in hardbound form if the Desaulnier firm will give the state the same price per copy for 4,500 hardbound copies as it offered for 2,500 hardbound copies; if this proposal is not acceptable to the firm, the combination bid should be accepted.

There was some discussion, in the course of which both Representative Welden and Mr. Lundquist pointed out that to negotiate with a bidder, after a bid has been submitted on the basis of specifications previously agreed upon, is a somewhat unusual procedure. Senator Coleman replied that this is the reason for the second part of his motion.

Senator Rush inquired whether there is a specific deadline for completion of the 1979 Session Laws. Mr. Lundquist replied that this is not possible because there is no way to know exactly when it will be possible to deliver all copies to the printer. He added that there is a work schedule based on periods of time beginning when copy is delivered.

Senator Coleman's motion was adopted by a unanimous voice vote.

The Council next took up the question of procedures for printing the Session Laws. Mr. Lundquist noted that each Council member present had received a copy of an exhibit which includes one page of the 1978 Session Laws and three pages of material taken from 1979 bills but played out on Legislative Service Bureau terminal typewriters by means of a newly developed program for preparation of camera-ready copy. This program utilizes longer lines, thereby fitting a greater amount of text on each page, and also "justifies" each line of text (i.e., causes both the left and right margins to be uniform), thereby improving the appearance of the page. Mr. Lundquist stated that because the same amount of materials could be fit on substantially fewer pages with use of this new program, it is believed that over \$6,000 could have been saved over the actual cost of printing the 1978 Session Laws if this program had been used in preparing that publication.

Mr. Lundquist noted that because the new program provides complete camera-ready pages, there is a substantial savings in time and money in publication of the Session Laws because fewer employees are required to prepare pages and it can be done in a shorter time. This also allows more personnel to engage in Code preparation at an earlier date, because of earlier completion of Session Law work.

Senator Hultman noted that the material distributed by Mr. Lundquist included a statement that the projected savings would have to be weighed against any additional cost that might be created by changing the method of furnishing camera-ready copy. These additional costs might include computer time, proof-reading, and other factors. Senator Hultman inquired what these additional costs would total. Mr. Garrison replied that in his opinion there would be no additional costs, and that the entire \$6,000-plus savings would actually have been realized.

Representative Harbor noted that the Service Committee has become aware that there is some disagreement between Mr. Garrison and Mr. Faupel as to the procedure which should be followed in preparing to print the session laws. He suggested that it would be appropriate for Council members to understand the nature of the disagreement between the two men before considering this matter further. Chairperson Millen agreed, and invited Mr. Garrison and Mr. Faupel to present their respective points of view. Mr. Garrison explained that he is convinced that a significant amount

of time could be saved in preparation of the Session Laws for printing if each of the individual acts of each General Assembly session appeared in the Session Laws in the order in which the acts are actually passed. This would permit work to begin on preparing each bill for publication in the Session Laws as soon as the particular bill had been enacted. It would also allow considerably more time for preparation of an index for the Session Laws, and thereby allow the Session Laws to include a much more detailed and useful index than has been possible in the past. Mr. Garrison noted that while all members of the Legislative Service Bureau drafting staff must be available to prepare amendments on short notice during the latter weeks of a session, ordinarily they are not continuously busy with work for the current session during those weeks and could be assisting with the work of preparing bills which have already been enacted for publication in the Session Laws. However, the Code Editor would retain the final authority and responsibility for preparation of copy for the Session Laws.

Mr. Faupel stated that it is his conviction that printing acts in each edition of the Session Laws in the same order, in terms of subject matter, that related material appears in the Code of Iowa is a major convenience to users of the Session Laws. He said that this arrangement makes each edition of the Session Laws a Code supplement, and that in any case such an arrangement of material has in the past been required by the General Assembly. He said that using this arrangement does not permit the assignment of actual chapter and page numbers of the Session Laws until expiration of the thirty-day period following a session during which the governor may veto bills passed at the end of the session.

Chairperson Millen recognized Chief Clerk Wray, who observed that Mr. Garrison and Mr. Faupel are apparently agreed that it would be desirable to use the new system of preparing camera ready copy which had been described a few minutes earlier by Mr. Lundquist. Mr. Wray suggested that if that is to be done, that the Council plan to make use of the House and Senate Journal computer typing and printing systems, which has the ability to utilize a feature known as "proportional spacing" and thereby save additional money. Mr. Garrison agreed that this capability would be useful, but said he is skeptical that the Journal room staff would have any significant amount of time to devote to this project during the late weeks of the session when the work must be underway. Mr. Wray expressed the opinion that the Journal room equipment and personnel could devote some time to this work at that time.

After some further discussion regarding the respective views of Mr. Garrison and Mr. Faupel concerning the order of placing material in the Session Laws, Senator Hultman inquired which way the Session Laws could be prepared most rapidly. Mr. Garrison said he believes that the system he suggested would result in a saving of time since chapter and page numbers could be assigned as material is prepared. Even if a gubernatorial veto made it

necessary to remove some material which had already been prepared from the Session Laws, the necessary adjustment could be made quickly and a net saving of time would still be obtained.

Mr. Faupel reiterated that he does not believe it would be possible to effect any significant savings of time, since it is unlikely that any printer would be willing to begin work until all copy had been completed, which is to say, until after the period for gubernatorial vetoes following adjournment of a session has passed. In response to a further question, Mr. Lundquist said that it is true that a printer would probably be unwilling to begin actual publication until all copy is in hand, but that some of the necessary preparation by the printer could be underway.

Senator Hultman moved that the question of procedures for printing the Session Laws be referred to the Administration Committee and that this Committee be requested to meet, consider the matter and submit a recommendation to the Council within a week. After a brief discussion, Senator Hultman's motion was unanimously adopted. It was agreed that the Administration Committee would meet at 8:00 a.m. on Wednesday, April 18, 1979.

Senator Hultman moved that Senator Taylor replace Senator Richard Ramsey on the Legislative Fiscal Committee. The motion was seconded and adopted by a voice vote.

The Council next considered the matter of a proposed legislative study of the Iowa court system. Senator Hultman noted that such a study, in cooperation with the Iowa Supreme Court, is proposed by Senate Joint Resolution 13 of the 1979 Session, which the Senate has formally referred to the Legislative Council.

Chairperson Millen recognized Mr. O'Brien, who in turn introduced Ms. Etta Cain, a court specialist with the Iowa Crime Commission. Ms. Cain explained that up to \$75,000 in federal Law Enforcement Assistance Administration (LEAA) funds is available for the study of the state court system, if the state will provide a ten percent match. She also stated that indications are that Iowa might be favorably considered as one of five states to which the National Center for state courts will make grants of up to \$60,000 for a study of state courts, requiring a twenty percent match.

Mr. O'Brien stated that the proposed study would relate to a unified and comprehensive funding system, not just a shift of the burden from local property taxes to the state. Lieutenant Governor Branstad expressed support for the proposed study, commenting that consideration will be given to whether or not there is an indication of interest in such studies on the part of the legislative and judicial branches of government in the respective states.

Senator Hultman said he believes that Iowa General Assembly has indicated interest in conducting such a study by drafting and introducing Senate Joint Resolution 13 and referring it to the Legislative Council. He therefore moved that the Council approve establishment of a ten-member study committee to be composed of members of the standing Senate Judiciary and House Judiciary and Law Enforcement Committees to look into the operation and funding of the court system in Iowa. There was some discussion regarding how closely the study would follow the specific provisions of Senate Joint Resolution 13. Council members generally expressed a consensus that this resolution should serve as a guideline, but not necessarily a precise mandate for the content and direction of the study.

At the conclusion of the discussion, Senator Hultman's motion to establish a court systems study committee was adopted by a unanimous voice vote.

The meeting was adjourned at 9:00 a.m.

April 19, 1979

The fourth meeting of the 1979-1980 Legislative Council was called to order at 1:05 p.m. Thursday, April 19, 1979 in Senate Committee Room 24 of the State House in Des Moines. Council members attending the meeting were:

Speaker of the House Floyd H. Millen, Chairman
Senator Calvin O. Hultman, Vice Chairman
Senator Lowell L. Junkins
Senator John S. Murray
Senator Bob Rush
Senator Ray Taylor
Representative John Clark
Representative Roger A. Halvorson
Representative William H. Harbor
Representative Delwyn D. Stromer
Representative Richard W. Welden

Other persons present included Director Serge Garrison and Phil Burks of the Legislative Service Bureau, Chief Clerk of the House David Wray, and Maryjo Welch, Assistant to the Speaker of the House.

Chairperson Millen announced that the purpose of the meeting was to receive the report of the Administration Committee upon the question of procedures for printing the 1979 Session Laws, which had been referred to the Committee by the Council at the Council's April 17 meeting. He recognized Senator Hultman for the Administration Committee report.

Senator Hultman stated that the Administration Committee had met on the previous day, with Mr. Garrison, Code Editor Wayne Faupel,

Deputy Code Editor Phyllis Barry and Superintendent of Printing Vern Lundquist. He added that agreement had been reached on the matter referred to the Committee by the Council, and summarized the four main points of the agreement. (See minutes of the Council's Administration Committee for the meeting of April 18, 1978, in particular page 4.)

Chairperson Millen commended the Administration Committee for the expeditious manner in which it had handled this matter.

Senator Hultman moved that the Administration Committee's report be approved by the Council. The motion was adopted by a unanimous voice vote.

The meeting was adjourned at 1:15 p.m.

Respectfully submitted,

SERGE H. GARRISON
Director

PHIL BURKS
Senior Research Analyst